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BEFORE THE
U.S. DEPARTMENT OF DEFENSE

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In the Matter of: :

SECOND SESSION OF THE DoD :
HISTORICAL RECORDS :
DECLASSIFICATION ADVISORY :
PANEL :
- - - - - X

National Archives Building
Reception Room 105
7th and Pennsylvania Ave., N.W.
Washington, D C.

Friday,
May 10, 1996

The above-entitled matter came on for hearing,
pursuant to notice, commencing at 9:00 a.m.

ATTENDEES:

DR. ALFRED GOLDBERG, HRDAP Chairman

DR. JEFFREY CLARKE
PROFESSOR GERHARD WEINBERG
PROFESSOR ELIOT COHEN
MS. CYNTHIA KLOSS
DR. WILLIAM DUDLEY
PROFESSOR MELVYN LEFFLER
BIG. GEN. DAVID ARMSTRONG
DR. ROBERT WAMPLER
PROFESSOR MARC TRACHTENBERG
WILLIAM HEIMDAHL
COL. MIKE MONIGAN
MS. HELEN BRAGG
MR. MIKE BROWN
MS. GENE WHITE
L. COL. STEVE DIETRICH
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P R O C E E D I N G S

[9:00 a.m.]

1
2
3 DR. GOLDBERG: Why don't you go ahead with
4 the security policy recap, and I will follow with
5 comments and the introduction of the briefings.

6 MS. KLOSS: As I said, Ms. Davis Harding was
7 unable to participate this morning, but she did ask me
8 to present her thoughts, her sentiments, and to give
9 you an update on the status of security policy as it
10 relates to declassification.

11 Now, Ms. Davis-Harding is going on to the
12 Defense Investigative Service, but assures that she
13 will monitor the progress of the HRDAP very closely and
14 she encourages us all to keep in touch with her.

15 The policy overview from the DoD perspective,
16 specifically from my office, is that declassification
17 is the final step of a continuum of managing
18 information. While the HDRAP focuses on
19 declassification, it's important to recognize that many
20 of our DoD assets, those individuals in the security
21 field, are working on the 360 degree viewpoint of
22 protection. And often, the needs of declassification
23 have to be weighed with those of the originators of
24 information, the origination of classification
25 management.

1 Now, when the Executive Order was issued, the
2 Executive Order 12958 on Classified National Security
3 Information, we had a series of implementation
4 missions, and I'd like to update you on the status of
5 those.

6 The first mission was to implement our
7 existing guidance, which is found in the 5200-1-R. My
8 office is currently finalizing comments submitted from
9 different components on the draft, and we anticipate
10 publication sometime this Summer. That document, the
11 5200-1-R Information Security Program, serves as the
12 guidelines for execution of the Executive Order.

13 We're also heavily involved with reeducating
14 the consumers on classification management. We used
15 the original classification guidelines, modified those
16 slightly to include declassification as a key decision
17 point for all original decisions. What that will
18 inevitably do is assist in future declassification
19 efforts if we charge an OCA, an original classification
20 authority, with the responsibility to monitor
21 information through declassification and ultimate
22 release.

23 Now, in the rush of activity surrounding
24 automatic declassification, those of us in the DoD have
25 not forgotten that we have other declassification

1 issues that we must deal with and monitor, not the
2 least of which is a systematic declassification.
3 Here's a real pull. We have limited resources. Those
4 resources are at this time oriented toward the most
5 pressing need, and that is the automatic
6 declassification program and review of all historical
7 documents by the year 2000.

8 The Executive Order also established review
9 forums that DoD participates in. Now, remember at the
10 last HDRAP, Dr. Goldberg briefed you on two panels.
11 The first was the ICAP, Interagency Appeals Panel, that
12 is managed by the Information Security Oversight
13 Office. In fact that panel will meet at the end of the
14 month for the first time.

15 The second advisory council that Dr. Goldberg
16 briefed you on last month is not formed at this time,
17 so that's an update.

18 The final Executive Order implementation
19 issue that the Security Programs Office is working on
20 is assessing and managing costs applied towards
21 security. I'll talk to that a little bit later in the
22 briefing.

23 Now, with that as our implementation plan
24 within DoD, where does the HRDAP fit in?

25 The HRDAP, when you were established, you

1 were charged with developing a recommended list of
2 topical areas of interest. Now, that action is going
3 to serve the DoD declassification community insofar as
4 it will focus some of the priorities. There's no
5 guarantees on the actions that will be taken with your
6 recommendations. We say that very candidly up front.
7 However, if we marry up your recommendations, what is
8 of interest from the public's perspective and
9 historians with the realities of the declassification
10 initiatives briefed to you this morning, I think we'll
11 have synergism in our declassification program.

12 One of our concerns and a point of confusion
13 over the past couple of months has been the overzealous
14 recommendations and expectations that will result in
15 this panel's proceedings.

16 DoD considers the HRDAP a valuable member of
17 the declassification management team; a member. Now,
18 the value of the forum will be in the independent
19 nature of your recommendations. In the past and at the
20 last meeting, there was quite a bit of discussion on
21 the aspects of declassification plans that were sent to
22 the panel members for review. We would just like to,
23 as a policy office, reemphasize that those
24 declassification plans were provided to you to give you
25 an outline, a feel for the type of management processes

1 that are in effect within the components of the DoD.

2 DoD reserves unto itself the validation of
3 these plans and the oversight of the declassification
4 plans. That's a negative viewpoint, and I just want to
5 focus on what's gone right, because we think a lot has
6 gone right in the DoD declassification business.

7 Now, it was 10 months ago to the day that Dr.
8 Trachtenberg first approached DoD to establish this
9 forum in conjunction with DoD assets, marry up the
10 distinguished historians with the security
11 practitioners and those other individuals involved with
12 declassification plans. And since that time, we've had
13 a lot of progress.

14 First off, all of the components have worked
15 very hard on refining their declassification plans,
16 their management plans. Those will be briefed to you
17 in detail today and we urge you to listen to some of
18 the challenges that they're facing in implementing and
19 executing the plans.

20 The second action that has been completed
21 since the last -- since you were formed 10 months ago,
22 is the identification of file series of records. Now,
23 this was just a monumental task and a lot of effort
24 went into not only identifying all of the various files
25 but categorizing the files into what would be likely

1 exemptible categories, versus those that are primed for
2 declassification.

3 At your first meeting of the HRDAP, your
4 report to the Secretary of Defense asked for briefings
5 from the military departments and agencies. In
6 discussing the schedule, we feel that we can give you
7 the three briefings today in an level of detail that
8 will be valuable for you, and we will schedule the
9 remaining briefings that you requested later in the
10 year at other forums.

11 In the HRDAP report, you also emphasized to
12 the Secretary of Defense your very real concerns over
13 DoD resources that are currently applied to
14 declassification. We appreciate your strong support in
15 emphasizing the needs for additional resources. That
16 married up with the recommendations from our internal
17 panel, the Department of Defense Management Panel, also
18 coming up with the recommendation of reevaluating
19 resources for declassification, I think will make for a
20 very strong argument during this next budget cycle.

21 Our declassification concerns, I think we can
22 narrow down in two specific areas. One is, of course,
23 the resources applied for declassification and
24 priority. The second is inadvertent disclosures that
25 may occur.

1 Now, on the resource side, last year Ms.
2 Davis-Harding took the lead to establish a funding law
3 that would allow for a logical, progressive
4 declassification program, eliminating redundancies by
5 centralizing the process. We were not able to get that
6 funding last year. And as most of you know, in the
7 Department of Defense, whenever we go forward with
8 large funding issues, we have to find offsets.
9 Department of Defense has traditionally not factored
10 security costs separately.

11 Security costs have been included in
12 overhead, as part of program costs. We really have not
13 had one separate funding line that we could tape into
14 and divert for security. We will continue to work on
15 that issue.

16 The INTEL community, if you have been
17 monitoring their actions, is a little bit more
18 fortunate insofar as the House Permanent Select
19 Committee on Intelligence earmarked or found \$2.5
20 million per agency to be applied for the automatic
21 declassification program.

22 So if you are monitoring the declassification
23 initiatives of the INTEL community, you may find that
24 they are a little bit further along in automation and
25 in some of the front-load analysis.

1 Manning considers a variety of factors within
2 the components. Now, two of the components, as
3 agencies, specifically WHS, representing Washington
4 Headquarters Service and OSD staff and the United
5 States Air Force already had existing workforces in
6 place. The other components -- and those existing
7 workforces could immediately start on the process of
8 automatic declassification. The other components are
9 looking at various combinations of manning to
10 accomplish their declassification program. And I've
11 asked them to brief you on that today.

12 The last issue that we are concerned with is
13 inadvertent disclosures. When you're looking at a
14 billion plus pages of information and a rather
15 ambitious schedule of declassification within five
16 years, we are concerned that our haste will lead to
17 disclosures of information that we view still requires
18 protection.

19 Now, in analyzing the various pockets of
20 information, we categorized them in four general areas
21 that warrant continued protection, the first of which
22 is human sources; confidential human intelligence
23 sources. If we lose those sources, if we prematurely
24 disclose information on those sources, we will
25 jeopardize our ability in the future to recruit sources

1 and that is unacceptable to the DoD.

2 The second category of information that we're
3 concerned with are releases of information on
4 technology that contributes to the development of
5 weapons of mass destruction or the application of
6 state-of-the-art technologies to our future weapons
7 systems.

8 Premature disclosure of those pieces of
9 information will lead to the development of similar
10 weapons, countermeasures to our fielded weapons or the
11 proliferations of weapons in areas that we in the U.S.
12 deem as unstable regions.

13 Third area of concern are documents and
14 holdings that deal with international and diplomatic
15 activities and agreements. The disclosure of this
16 information will seriously damage our existing
17 relationships and agreements and may undermine our
18 ability to negotiate future agreements.

19 And the last category of information that we
20 are concerned with has to do with U.S. military war and
21 contingency plans, many of which are currently in
22 effect. Even if they are old, there are aspects that
23 are still germane, are still valid. And the release of
24 that information would allow hostile nations to counter
25 or neutralize any of our future U.S. operations.

1 So, in closing, the DoD will continue to
2 stand ready to implement all aspects of the Executive
3 Order, declassification being just one. We'll succeed
4 if our resources eventually marry up with the initial
5 requirements that have been identified to this panel
6 and will be identified today.

7 Ms. Davis-Harding wants to extend to you her
8 personal appreciation for all of our involvement and
9 your work on the panel. She encourages you to stay in
10 touch with her and she stands by ready to assist you in
11 any future endeavors in her capacity at DIS.

12 Thank you.

13 DR. GOLDBERG: Thank you.

14 Are there any questions you would like to put
15 to Ms. Kloss?

16 (No response.)

17 MS. KLOSS: We're going to have some easy
18 briefings, folks.

19 DR. GOLDBERG: It was a resounding success.

20 MS. KLOSS: I need just one minute. We're
21 going to set up the viewgraphs. I'm sorry for the
22 distraction.

23 DR. GOLDBERG: All right.

24 MR. TRACHTENBERG: At some point we're going
25 to have to discuss the issues that are raised in the

1 exchange of correspondence between Ms. Davis-Harding
2 and Bob Wampler. I don't know when we will schedule
3 that.

4 DR. GOLDBERG: Yes. We will get to that.

5 MR. TRACHTENBERG: Okay.

6 DR. GOLDBERG: There will be opportunity
7 during the discussion period. I'm going to mention
8 that in just a few minutes, as a matter of fact. But I
9 think we'll hold the discussion until after the
10 briefing.

11 I do want to report on what happened to the
12 report that we submitted on our first meeting. You may
13 remember, I did submit a report to the Secretary of
14 Defense. As it happened, it passed through the
15 Assistance Secretary of Defense, C-III and went to the
16 Deputy Secretary of Defense, who presumably read it.
17 At least he initialed it, indicating that he had seen
18 it.

19 Assistant Secretary Page, in his comments on
20 the report, expressed agreement with our first
21 recommendation to take a different approach from a
22 purely topical one. That is, to attempt to review and
23 declassify the materials of most interest to historians
24 and the public. That is, top level policy materials at
25 the upper levels of the hierarchy, Secretary of

1 Defense, Chairman of the Joint Chiefs, Secretaries of
2 the services, et cetera.

3 There was agreement on that by Secretary Page
4 and it was also agreed to informally by the Director of
5 Administration and Management for the Department. So I
6 don't think from that level we will face any problems
7 in recommending our approach, rather than the topical
8 one.

9 This means, of course, that to some extent we
10 will be revising our approach to the Executive Order,
11 but that's nothing new. It's often happened before
12 with Executive Orders and all kinds of other orders and
13 regulations. Practice often requires some kind of
14 change in the prescribed programs and in theory.

15 There has been mention already of the Defense
16 Declassification Management Panel, which held a meeting
17 on April 16th, which heard the briefings that you're
18 going to hear this morning and plus, additional ones.
19 I attended and found it very useful, very helpful. It
20 certainly broadened and deepened my knowledge and
21 understanding of the declassification process and of
22 the many problems involved in facilitating that process
23 and you will be hearing some of the fruits of those
24 earlier briefings here this morning.

25 You've already had mentioned, the -- you have

1 I think in your folders, notice of the meeting of the
2 CIA Energy Declassification Management Conference on
3 the 21st to the 23rd. And also, I might mention that
4 the Moynihan Commission, that is, the commission on
5 protecting and reducing government secrecy, will hold a
6 roundtable discussion in this building on May 16th.
7 That may be of interest to some of you, also.

8 We have received over the past several months
9 correspondence and suggestions for approaches to this
10 problem. We've had detailed listings of documents and
11 files for declassification submitted by James David of
12 the Air Museum -- Air and Space Museum, and from Bob
13 Wampler, a member of this panel. We will discuss these
14 I think in some detail perhaps later on, because I'm
15 sure these do go in good measure to the heart of the
16 problem of our approach and what it is that we might be
17 able to accomplish.

18 We also have received some time ago a letter
19 from Gerhard Weinberg concerning NSA and its
20 declassification program and its lagging in
21 declassifying World War II records.

22 I think some progress may have been made
23 since you wrote your letter. You're aware of it. I've
24 seen several notices of it.

25 And finally, indirectly, I have a letter from

1 a German scholar who is interested in German-American
2 relations, particularly security arrangements between
3 the United States and Germany since World War II and
4 the role of American forces in Germany since then. And
5 he asked that we give consideration to giving priority
6 to declassification of documents pertaining to that
7 subject.

8 I suspect we'll be receiving more such
9 letters. Many of them, I think, will be asking for a
10 topical approach rather than the broader approach I
11 think that we have under consideration.

12 There are a number of suggestions that have
13 been made, a number of ideas that have been brought
14 forward about declassification, and I'd like to mention
15 some because I think that these do go to the heart of
16 the problem. There's things that we will have to think
17 about in concocting recommendations to make, specific
18 recommendations. And I'd like to mention some of them
19 before we go on to the briefings.

20 First of all, we've had raised the question
21 of the status of inventories. Do the services and the
22 other entities know what they actually have? Do they
23 have listings of these things that could be made
24 available? And if they don't -- I'm sure that they
25 don't have complete ones -- what is involved in doing

1 this? Is this something that should be done first?
2 How much time and effort will it take? How will it
3 perhaps slow down the actual declassification of
4 records?

5 Second is the creation of finding aids and
6 indexes, which are also desirable and perhaps even
7 necessary in order to do an effective job of
8 recommending declassification and making it something
9 useful and effective.

10 Third is the transfer of records to the
11 National Archives, which has been recommended. We do
12 know that the services still hold the greater part of
13 their records for the last 30 or 40 years not in the
14 Pentagon, not in their facilities. Most of it at the
15 records centers around the country. And for
16 Washington, particularly, here at Suitland in the
17 Federal Records Center.

18 The question is can they be turned over
19 expeditiously to the Archives. And the basic question
20 there is can the Archives receive them and handle them.
21 And you must keep this in mind. The Archives is also
22 having its problems of all kinds; space, money, staff
23 and all the rest of it. And the fact that they are
24 well behind in accessioning records from government
25 agencies, that fact has been well known for many years

1 and its gotten worse over the years because they just
2 don't have the staff to accession readily and we can't
3 expect them to take in at one fell swoop an enormous
4 body of records.

5 Then there is the automatic declassification
6 of confidential information 25 years and also, which
7 has also been recommended. That raises problems and
8 questions of the integrity of the folders and the case
9 files. Much of that material is in files with
10 materials of higher classification. How do we manage
11 that problem? How big a problem is it, really? And I
12 think probably it may be much larger than is realized.

13 Most of these things are going to take a lot
14 of time and a lot of effort because they're not simple.
15 There are no simple solutions to that sort of problem.

16 Then there's a matter of review schedules,
17 which has been recommended; annual or quarterly review
18 schedules. At this point it's questionable whether any
19 of these agencies are in a position to provide some
20 scheduling. Perhaps one of the reasons is they may not
21 have the inventories which would make it possible for
22 them to do that. At best, they could probably provide
23 partial schedules, I would think.

24 Then there's the problem of equities and what
25 constitutes an equity. That is, there are documents

1 which are obviously made up of materials from a number
2 of different sources, from different agencies,
3 different service. How do you decide what really
4 constitutes an equity? What will entitled these
5 offices and agencies to review of the document when
6 they may not -- actually, there may not be very much
7 that they've provided for it. So it's a matter of
8 determining there where do we draw the line.

9 And it would be desirable to draw a line, of
10 course, which would eliminate as much of this as
11 possible. This is a very time-consuming process and it
12 may also be an argument for some kind of centralization
13 for review and declassification of documents that are
14 related to several agencies, not just one.

15 And this is another major problem and can
16 also be a very time-consuming matter. Giving equities
17 an opportunity to review is going to take -- has taken
18 time and is going to continue to take time.

19 Finally, a subject that I think we ought to
20 discuss -- will discuss here before we're through, is
21 approaching this perhaps by -- approaching what we
22 would like to see done; namely, review of the high
23 level documents, by establishing pilot projects in the
24 services and the agencies, eventually. Limited
25 projects at the top most levels, at the Secretary of

1 Defense level, the Chairman of the Joint Chief's level,
2 the Secretaries of the services, et cetera, to review a
3 limited number of records to see just how that works
4 out.

5 The goals of such a project, obviously, would
6 be to determine the nature of the contents of these
7 files. What are you going to find in the files of the
8 Secretary of Defense or the Secretary of the Air Force?
9 What mix of classification exists there and how is that
10 going to affect the process? How much is really high
11 policy?

12 You'll find a lot of things in these files.
13 In some of the Secretaries' files, I've found personal
14 correspondence dealing with a bank checking account,
15 that sort of thing. All the creeps in. Can creep in.
16 How much is there from other stakeholders? That is, how
17 many equities are there? And you must expect that
18 files at that level will include documents from a lot
19 of different organizations. And if it's a whole
20 document, presumably it would have to be reviewed by
21 the originating agency.

22 And then how much time will be spent in
23 actually carrying out the review? Supposed you say,
24 okay, do five or 10 feet of these records and give us
25 an idea of what's there and how long it took to review

1 it, et cetera. Is it possible to project from that
2 what a larger project would take with trying to do a
3 much larger job? How long would that take and how much
4 of the records could we hope to cover with that
5 approach?

6 So these are all questions I think that have
7 to be considered and that have to be recognized and
8 that I trust that we will discuss later on. I
9 personally feel that the pilot project approach is a
10 feasible one and a desirable one and that we can learn
11 a great deal from it. It will give us a better notion
12 of what we face in making recommendations for
13 declassification of high level policy records.

14 Now, I'd like to turn to the briefings that
15 we have scheduled. We will have only four instead of
16 five. One of them had to be canceled. Colonel Bailey,
17 who headed up the DoD part of the human radiation
18 experimentation declassification project has a family
19 emergency, had to leave town yesterday and cannot be
20 here, which is too bad because it's one of the most
21 interesting projects of its kind, declassification
22 projects, that have been carried out in government in
23 recent years.

24 It did cut across the whole government. It
25 was not simply DoD, although DoD played a very large

1 part. It was an enormous undertaking on the part of
2 DoD and, I must say, a very expensive one. But he has
3 all the figures and I hope that he will be here next
4 time and be able to give you a full briefing on that.

5 We have briefings scheduled this morning by
6 the Army, the Navy, the Air Force and a special
7 project, the Gulf War.

8 We will start in the order of precedence of
9 the services; namely, with the Army, and Helen Bragg
10 will give us this briefing.

11 MS. BRAGG: Thank you, Dr. Goldberg.

12 I apologize to the people that I'll have to
13 turn my back to, the nature of how we've got things set
14 up here.

15 And Dr. Goldberg did ask me to mention that
16 because we are pretty tight for time, we have a lot of
17 things to cover, if we could save our questions until
18 the end of all the presentations. I think we could get
19 through this a little bit more efficiently.

20 I'm here to tell you about the Army
21 declassification program. I just want to give you our
22 understanding of what's required, just so you'll know
23 where we're coming from. It's a new and automatic
24 program. We've never had this before. It covers all
25 information that will be 25 years old by 17 April in

1 the year 2000 that is of permanent historical value.

2 It covers all Army information unless the
3 information falls into one or more of nine categories
4 of exemptions. And our goal is that between now and
5 April of 2000, we will by declassifying 15 percent per
6 year. After 2000, the program continues on, so that in
7 the year 2001 we would look at the information that
8 would hit the 25th year, which would be the 1976
9 records.

10 And the key here that I cannot overemphasize
11 is that this is an automatic declassification program.
12 The information will be declassified whether or not it
13 has been reviewed. Even if it falls into one of the
14 nine exemption categories, if we have not reviewed the
15 material to determine that it is legally exempt and
16 marked it as such, it will be automatically
17 declassified.

18 And that, of course, is the point that
19 concerns us the most because we feel that we do have a
20 lot of information that would be at risk to our forces
21 that are deployed. We have information in our files of
22 the capabilities and limitations of our weapons
23 systems.

24 Now, people say to me -- well, this is
25 information 25 years old. What kind of systems do you

1 have?

2 If you look at the acquisition process that
3 we have in the Department of Defense, especially with
4 our high technology systems, it sometimes can take 10,
5 15, even 20 years to field a weapons system. Once we
6 have it in our inventory, we like to keep it in the
7 inventory for decades, and especially now because the
8 DoD budget is too tight, we want to try to keep these
9 systems as long as we can.

10 Furthermore, you have a rather -- what's the
11 word I want to say? You have a very mature foreign
12 military sales system where some of our systems are
13 sold to our allies. Our allies might be a little bit
14 concerned if you declassified the system that they have
15 bought. So that's one of our concerns.

16 Also, as we saw in Desert Shield and Desert
17 Storm, the technological advantage that we have with
18 these high systems is certainly an advantage to our
19 forces and we must maintain our technological edge if
20 we wish to retain our position in world leadership.

21 There are some very sensitive foreign
22 relations information in our files. We're not the
23 State Department. We're not trying to take over their
24 role. But when you create war plans that involve our
25 allies, of course, their commitment of forces is a very

1 close hold, as well, and it's very sensitive to their
2 governments, the relationships between the two military
3 departments.

4 We have some confidential and new
5 intelligence sources of information. Now, this
6 directly involves the lives of these people. They have
7 provided information to the United States Army under
8 the condition that it would be held in confidence.
9 Their very lives would be in jeopardy, or the lives of
10 their family, if that information became known.

11 We have in our files, as I think Dr. Goldberg
12 mentioned, the question of equities. Army files do not
13 contain solely Army information. They contain
14 information that other agencies of the U.S. government
15 have provided us, as well as other foreign government.

16 We have information in our files that if it
17 was prematurely declassified, it would violate other
18 statutes and agreements. For instance, the Atomic
19 Energy Act, the Privacy Act, the Trade Secrets Act, our
20 international agreements, our agreements with the
21 treaties of NATO.

22 And, of course, the bottom line here that
23 we're concerned about, what does that raise? We do not
24 want to jeopardize American lives. We do not want to
25 jeopardize the lives of our soldiers or the American

1 people that they have pledged to defend.

2 The factors that we have to look at here is
3 the scope of the efforts. It's all Army information.
4 All Army information except for that which is what we
5 call RD and FRD, restricted data and formerly
6 restricted data, that which involves nuclear weapons.

7 The problem though, although that's exempted
8 from the terms of the Executive Order because it's
9 covered under the Atomic Energy Act, the problem is
10 that that information is not segregated in separate
11 files. It is mixed in with our regular files. So that
12 information could be in jeopardy even though it's not
13 covered by the Executive Order.

14 The best estimation that we can come up
15 with -- and this figure go up, but it is at least 270
16 million pages of affected files. That's over 20 miles
17 worth of files that we need to go through.

18 The location of the files -- and this was
19 kind of surprising to me. The location of the files is
20 mostly right here in the Washington, D. C. area. When
21 you add in the Archives and the Washington Federal
22 Records Center, that's the bulk of our information.

23 The condition of the files. You were talking
24 about finding aids and the index of the information
25 that we file. That does not lend itself to

1 identification in terms of these categories of
2 exemptions, and that has been one of our big problems
3 is that we've been trying to find an easy way. Isn't
4 there some way that we could look at an identification
5 of files and figure out is it or is it not exempt under
6 the terms of automatic declassification.

7 We have looked at this from every angle. And
8 as much as we would like to find an easy way out, we
9 have not found one. There is no current program in
10 existence. That's certainly a situation to keep in
11 mind.

12 The factors that we have here is we do have a
13 relationship between risk versus cost. The risk here
14 is failure to comply with the terms of the Executive
15 Order and to exercise our commitments to the American
16 public to defend this country, the inadvertent
17 declassification of critical information, the violation
18 of other statutes and agreements that we're bound by.

19 But we have to balance that against the cost.
20 And to get the cost down to the lowest possible level
21 and not review the material as carefully as we
22 ordinarily would have reviewed it under other programs.
23 The lowest cost we came up with is \$250 million. And
24 that's less than \$1 a page and that's the best we can
25 do.

1 The key question we have here is how much
2 risk is acceptable to the cost, especially in this era
3 of very tight budgets.

4 We have a strategic plan that was signed by
5 the Secretary of the Army in October of '95. The Army
6 is committed to comply with the Executive Order. We
7 stated that we 270 million pages and that our goal is
8 to declassify 15 percent per year.

9 The approach that we're using is to review
10 for declassification or the continued classification of
11 the information. Because we have so much material here
12 in the Washington, D. C. area, we are advocating a
13 centralized approach to this.

14 Now, you may hear from other agencies that
15 their material is out in the field. For them it might
16 be more efficient to have a decentralized program. But
17 just by the nature of where the Army files are, we feel
18 it makes more sense to have a more centralized effort.

19 There's approximately 10 percent of the files
20 that are located throughout the Army. And for that,
21 they will be done in a decentralized manner. The
22 people who hold those files will review them.

23 That was our strategic plan. That was a good
24 plan, but we really need to have an implementation plan
25 of how we get to that particular point that we've

1 actually reviewed these files.

2 In the implementation plan, we have to
3 designate what we're calling a special program manager
4 to actually run this program. We have a range of
5 operations that we're looking at as to how we would
6 approach it. We're recommending a particular option.

7 Now, all that is under view right now by the
8 Army leadership because it is such a big pot of money
9 that we're asking for. There is a lot of review going
10 on and we have not come to a final decision on that.

11 The progress so far. As you see, we have a
12 big elephant on our plate here and no money really to
13 put against it. So the 15 percent goal for 1996 may
14 very well not be reached but we intend to make that up
15 in the out years.

16 The program is unfunded. It is totally
17 unfunded. Our intention is to address all files, but
18 the resources remain a concern.

19 Our areas of concerns is launching the
20 program, getting something started here so that we can
21 make some progress. Jeopardizing critical information.
22 And I can't emphasize that enough. I know a lot of
23 people think that -- well, it's over 25 years old. How
24 critical can this be? A lot of it is not. A lot of it
25 certainly could be declassified but it is a question of

1 finding the needles in a haystack because those needles
2 do have to be protected.

3 The resources. You know, they say in real
4 estate what's the three most important thing:
5 location, location, location. Well, what's the three
6 most important things on the success of our program:
7 resources, resources, resources.

8 Topical reviews. It's going to be a problem
9 for us because as you see, we have a tremendous program
10 ahead of us with little or not funding for it to date.
11 If we had a small amount of material and the adequate
12 resources, we could probably approach this system under
13 a topical review. But I think as was discussed at the
14 first meeting of the HRDAP, that's really not feasible
15 for a large organization with a lot of files. It would
16 bog us down tremendously.

17 We have a concern of any real push towards an
18 aggressive systematic declassification program at the
19 same time that we're trying to address this automatic
20 declassification program. We can only spread ourselves
21 so thin, so we've got to address what's the most
22 important first.

23 Any additional requirements that are levied
24 on us beyond what is required in the Executive Order is
25 a concern to us because we're really struggling with

1 meeting the terms of the order.

2 What's next? We need to get an
3 implementation decision from the Army leadership on how
4 we're going to go with the appointment of a special
5 program manager. The resources, of course, is critical
6 to the success of this program. And then we'll be
7 hiring people, contracting certain aspects of it,
8 entering in a lease agreement or whatever to locate a
9 facility, buying equipment that's needed, deciding upon
10 the methodology that would be best to handle the
11 information based on the resources that we are given,
12 and we'll be publishing the policy.

13 As Ms. Kloss said, there's a DoD directive on
14 all this. And of course, there'll be an Army
15 directive, as well.

16 Training the people. This is not easy for an
17 individual to go in cold and look at these files
18 without adequate training on what it is you need to
19 look for. And when you're talking about the United
20 States Army, it's soup to nuts. We just are involved
21 in an awful lot of critical, very sensitive programs
22 that they would have to know about in order to make the
23 appropriate decision on whether or not it is
24 appropriately exempt.

25 And then, of course, the execution is to get

1 out there and tackle these files.

2 That concludes my briefing.

3 DR. GOLDBERG: Don't sit down, please.

4 I'd like to invite any questions or comments
5 that you have at this point. I think we'll do it
6 individually for each one of these presentations while
7 your minds are still fresh on the subject.

8 AUDIENCE PARTICIPANT: Just a quick one. On
9 that \$250 million, over what period of time would that
10 be needed?

11 MS. BRAGG: Oh, that would just be for the
12 initial effort to take care of the backlog. That would
13 just be money that would be needed to address the 270
14 million pages.

15 AUDIENCE PARTICIPANT: And spread over what
16 period of time?

17 MS. BRAGG: Between now and April 2000.

18 GEN. ARMSTRONG: How close are you to getting
19 an implementation decision, a special program manager
20 and money?

21 MS. BRAGG: It's a long haul. The
22 implementation decision, I think we're closer on. The
23 money I really can't address because the implementation
24 plan as to who will be the special program manager,
25 that is making its way through the Pentagon halls as we

1 speak.

2 So, I would say that would be fairly soon. I
3 really can't say if it's a question of weeks, but
4 certainly it is a question of months. I would
5 definitely say within that period of time.

6 The question of resources is harder because I
7 don't know if you're familiar with how we have to
8 budget out, but the money for this year has got to be
9 programmed several years back.

10 GEN. ARMSTRONG: So you've got to reprogram
11 money?

12 MS. BRAGG: You have to reprogram money. And
13 unfortunately, because of the constraints of the DoD
14 and thus the Army budget, all of our programs are
15 really being looked at with a lot of scrutiny because
16 there's a lot of what we euphemistically call
17 downsizing where we're trying to save money. We're
18 trying to reduce the number of personnel that we have.

19 For instance, just to give you an idea, the
20 job that I do now a short time ago was done by three
21 people. And that was before this Executive Order was
22 signed and the additional burden of this automatic
23 declassification program and trying to work on that.

24 So when you're looking at an organization
25 like the Army where they're really crunching down,

1 where we had three people and now it's down to one,
2 it's tough.

3 GEN. ARMSTRONG: So it's fair to say your
4 program at this point in time has not started and it's
5 start is dependent on a reprogramming action to get the
6 money to make it go?

7 MS. BRAGG: It's fair to say that the
8 implementation part of it, which I'm sure that's the
9 part that you're talking about, has not started. There
10 has been a lot of effort done on the planning and the
11 gathering of data so that we know what we have to
12 address.

13 MR. LEFFLER: Your priorities in terms of
14 what you think should be declassified or at least
15 evaluated first, where do you stand on that?

16 MS. BRAGG: That is totally dependent on the
17 resources that will be provided. For instance, if --
18 let's just say -- and this is just a scenario -- that
19 we had quite a bit less than the \$240 million provided
20 to us. Then we would have to take a very hard look and
21 say, okay, what is the stuff that we really need to get
22 at first so at least we protect that critical data, and
23 then the rest goes.

24 Without any valuation of other factors, that
25 would probably be the more recent material. We'd start

1 with '75 and work our way back.

2 If we have more adequate funding, then we
3 might take a different approach. So it will be quite
4 resource dependent.

5 MR. LEFFLER: Ah, -- go ahead. You started
6 to say something else.

7 MS. BRAGG: Well, I was going to say -- I
8 mean, you know, and maybe that's a scenario that the
9 HRDAP could consider. If there is limited resources,
10 what would you advise us as to what files we should
11 look at first.

12 The problem is that -- and this is not a
13 criticism of the Army filing system. The Army filing
14 system was never set up to envision that there would be
15 an Executive Order that would provide for automatic
16 declassification unless it fell into these high
17 exemption categories. So the people in the past that
18 created this system, they can't really be criticized
19 because they filed their material in such a way that
20 doesn't lend itself to the ready execution of this
21 program.

22 MR. LEFFLER: Did I hear you say that you
23 would start with the 1975 materials and work backwards?

24 MS. BRAGG: All other things being equal. If
25 we could identify more critical areas, --

1 MR. LEFFLER: Why would you do that if your
2 major concern is about risk? Why would you start with
3 the most recent stuff? It would seem to me that much
4 less risk would adhere if you went back further. And
5 since the Army has virtually declassified nothing since
6 1945, I mean, you sort of tell us that, you know,
7 you've worried about for the last 25 years. But the
8 truth is, going back to 1945, researchers can get
9 virtually nothing from the Chief of Staff, from the
10 plans of operations, et cetera, et cetera.

11 And it would seem to me that there would be
12 much less risk involved if you started further back and
13 then moved forward. That you could open up lots of
14 things without worrying that much about releasing
15 information about critical weapons systems and things
16 of that sort.

17 MS. BRAGG: Okay. Well, I think it's good
18 we're having this dialogue because you have a different
19 impression of the terms of the Executive Order I think
20 than I do. The Executive Order, as the Army
21 understands it, is that if we do nothing, if we just
22 sit here and do absolutely nothing, on the 17th of
23 April, the year 2000, all of the information will be
24 declassified automatically by fiat. I mean, whether
25 it's looked at or not.

1 So therefore, what is more important to the
2 Army to try to -- I mean, let's say we had a limited
3 amount of money. Would it be better to look at the
4 files that were created in 1955 and see if there's any
5 critical information that could legally be exempted, or
6 would it be better to look at the files created in
7 1975?

8 Well, there's probably some information in
9 the 1955 files that we're concerned about but we're
10 making the assumption there would be more information
11 in the 1975 files that we would be concerned about.

12 Unless this group comes up with -- and maybe
13 based on an historical perspective, maybe you can
14 identify for us certain times in history where we might
15 have files that would deal with more critical issues,
16 just not factoring in anything else other than time
17 sensitive.

18 MR. LEFFLER: Let me just -- one last follow-
19 up. That was quite informative for me, what you just
20 said. So is it's everyone's understanding that even
21 within the exempted categories, once you identify
22 exempted categories, that unless you go through it page
23 by page and select out that which should not be opened,
24 that even within those exempted categories, everything
25 will be opened in the year 2000?

1 MS. BRAGG: No, no. In the year 2000, if do
2 nothing, the material is declassified. But if we go in
3 and we exempt something -- for instance one of the
4 exemption categories deals with weapons of mass
5 destruction, let's say. I don't think anyone would
6 argue that that's probably a good idea to exempt that.
7 So we go in and we look in the file and we say, okay,
8 this would provide critical information on the
9 development of weapons of mass destruction. Then we
10 identify that file. We say this is exempt. So that
11 file will not be automatically declassified in the year
12 2000.

13 DR. WAMPLER: But is this an ongoing process
14 then? I mean, we had the sense that as of about a
15 month ago all the agencies and components had to file
16 their file exemption requests for everything.

17 MS. BRAGG: Okay. That's different, but it's
18 sort of the same. What happened that I think you're
19 talking about is something called the exempt file
20 series. There is a provision in the Executive Order
21 that says that we really should have done it by
22 October 14th. I believe it was six months after the
23 date of the order but within DoD, we asked for a six
24 month extension. So for us, it was like the middle of
25 April.

1 Okay. That we could have a one-time, and one
2 time only designation of certain file series that would
3 be so replete with this exemptible material that to
4 look at those file series really wouldn't make much
5 sense because just about everything in them would be
6 exemptible anyway.

7 So we could go in, and we gave our
8 justification of why that particular series should be
9 exempted from this whole process. And if the President
10 approves that series, then we would not have to
11 individually look at all the material in that file
12 series.

13 MR. LEFFLER: It just stays exempt and you
14 don't follow it?

15 MS. BRAGG: No. It does not just stay
16 exempt. Part of the justification, we had to pick a
17 date or event for future declassification. So although
18 it would not be declassified automatically in 2000, you
19 had to say when in future it would be declassified.
20 Okay?

21 That's an example of that. Maybe let's say
22 that it had technology that's in a current weapons
23 system? Well, once that technology is now no longer
24 state-of-the-art and it's not in systems that we use
25 and that we've sold to our allies, that's an event that

1 it could be declassified.

2 DR. CLARKE: Did the Army identify any such
3 series?

4 MS. BRAGG: Yes, we did. And we've proposed
5 this. It has gone to Ms. Kloss' office. She has told
6 me that it has not been approved by the Secretary of
7 Defense yet or been approved by the President yet, but
8 we have proposed that.

9 But that's going to represent a small amount
10 of material. The rest of it -- and even that -- let's
11 say that the list gets approved. We still have to go
12 in, open those boxes, find those file series, identify
13 them and then look at all the other material in that
14 box that's not in that file series.

15 I know it's kind of a confusing process. I
16 mean, you'd think -- well, how many file series could
17 the Army possibly have? What would be your guess?

18 MR. LEFFLER: Oh, thousands. Tens of
19 thousands.

20 MS. BRAGG: Well, we actually have a little
21 less than 6,000.

22 MR. LEFFLER: Okay.

23 MS. BRAGG: when you say a file series, you
24 have sort of an enumerated list of file series that you
25 wish to be exempt. Is that correct?

1 MS. BRAGG: That's correct.

2 MR. LEFFLER: You've made up this list.
3 You've submitted it.

4 MS. BRAGG: Yes.

5 MR. LEFFLER: Okay. Can we be informed about
6 that list?

7 MS. BRAGG: No. At least from the Army's
8 perspective. Now, maybe other agencies feel
9 differently. Our list contains very detailed
10 information of why we feel that that information -- we
11 identify our critical file series and why they're
12 critical; what types of information they contain and
13 why. We feel that that is not information that we
14 would want to have released for review by any potential
15 adversaries.

16 If we release it to the public, that's
17 tantamount to release to foreign governments. That's
18 number one.

19 Number two is we wanted the HRDAP to -- I
20 mean, the whole value of the HRDAP is to provide an
21 outside look. You have no particular -- well, I'm
22 assuming you have no particular axe to grind here. You
23 want to provide an independent look at what would be
24 the best way to approach this. What would be the files
25 or the subject or whatever that your group, whatever it

1 is, that should be tackled first, second, third,
2 whatever.

3 And that if you had this list, we might
4 lose -- our feeling is you could lose the objectivity
5 that is the value of the group to begin with.

6 MR. WEINBERG: Well, let me just pick up on
7 that because I don't think you quite caught the thrust
8 of what Professor Leffler was saying and with which I
9 completely agree for several reasons. And that is, that
10 if you start with the earlier period rather than the
11 later period, you get the benefit of something that
12 neither Ms. Kloss nor you have touched on on the issue
13 of risk.

14 The best place to hide a tree is in a forest.
15 I was involved in a huge program of microfilming. And
16 when the question was raised -- well, aren't there
17 maybe going to be privacy violations and security
18 violations, my answer was we'll do our best but after
19 the first 10 million frames are made available, the
20 likelihood that somebody will find the six that
21 shouldn't been in there in the next 20 years is very
22 slight.

23 And the fact of the matter is that in the 40
24 years since we started depositing that stuff in the
25 National Archives -- now they're in College Park -- no

1 one, no one in 40 years has found one of the things we
2 slipped up on. The way to make sure that things which
3 are incidentally overlooked in a relatively rapid
4 review is to make certain that they are among millions
5 of documents which no one in the period of time that
6 they are still sensitive is likely to find.

7 Therefore, if one starts in the '45 to '60
8 period, the amount, even at the higher levels that can
9 be opened up is going to be at a relatively low cost
10 bracket basis; very, very low. And if as a result of a
11 rather hurried process there is a page here and a part
12 of a file there that may be, if it had been looked at
13 more carefully, shouldn't have.

14 The likelihood anybody's going to find these
15 in the six -- six, eight, 10, 20 years, if very slight.
16 And by the time somebody in 25 years does locate them,
17 the sensitivity is likely to have disappeared. And I
18 think one has to see this in the sense that I think
19 Professor Leffler was driving at. That if you move
20 forward rather than backwards chronologically, you
21 automatically, by the very possibility of both in the
22 early part -- do you see what I'm driving at -- reduce
23 the risk that Kloss was referring to earlier and that
24 you have touched on.

25 The other thing that it seems to me is

1 essential in that process is that where in your
2 viewgraph and your material where you talk about the
3 review for declassification or continued
4 classification, you've got to -- I assume you were
5 hinting in that direction just now -- put time on it so
6 that those which are continued classified have a time
7 when they become unclassified, which means that you'll
8 have to look at them again only if you want to open
9 them earlier or you decide that they need to be kept
10 longer.

11 MR. LEFFLER: May I comment?

12 MR. WEINBERG: Just one second.

13 The issue of bulk is a two-edged sword. It
14 involves on the one hand the fact that you've got these
15 endless quantities, not only in the Army but in all the
16 others. And you've got the pressure to start, if you
17 will, at the top, at the Secretary, Chiefs, et cetera,
18 et cetera, et cetera. The earlier you start
19 chronologically with the stuff, the easier it will be
20 to do substantial bulk.

21 If you find in the process that in certain
22 areas the bulk is not forthcoming, you've got enough
23 shall we say inventiveness that one can find -- I'm
24 being serious. Please, don't misunderstand me. I'm not
25 trying to make fun of this.

1 You've got enough inventiveness and enough
2 flexibility in the front of these 250 million pages
3 that you can in fact identify segments elsewhere in
4 which in a relatively rapid period you can produce both
5 deliberately. So that the total, number one, meets
6 your targets that you're setting for yourself; and
7 number two, adds the safety factor that I just talked
8 about. That is to say that when you declassify the
9 first 20 million of the 250 million, that the tiny
10 number of secrets scattered in through there won't be
11 found until, it's safe to say, they no longer need to
12 be secret.

13 Do you understand where I'm going there?

14 MS. BRAGG: I understand exactly what you're
15 saying.

16 MR. WEINBERG: I think one has to see this
17 issue of bulk in other words from both sides. And if
18 you run into the kind of mixed files that you were
19 alluding to, then you can introduce into your program a
20 different form of mixture. The top ones to work on
21 which will not produce vast quantities, and some other
22 runs of files where you have good reason to believe
23 that you will produce great quantities. That's the
24 other mixture.

25 MS. BRAGG: Yes.

1 MS. BRAGG: And it seems to me that that
2 would accomplish the purpose.

3 MS. BRAGG: Can I just make a comment on that
4 and then I think we'll open it up to the audience. But
5 while I think about it, I'd like to make this comment.

6 First of all, number one, I don't mean to
7 imply that the Army plan is to address the '75 files
8 first and look at them. I was asked by I think this
9 gentleman or this one, I forget which, how would you
10 approach it -- I forget exactly what the question was,
11 but -- was it what year group or which files would you
12 look at first?

13 DR. GOLDBERG: With limited resources.

14 MS. BRAGG: Yes. And what I said was that if
15 we had a scenario where we had substantially limited
16 resources, then our feeling is we'd have to tackle the
17 most critical files first. Notwithstanding what you
18 just said, but let me just finish. Our feeling is we'd
19 have to protect the most critical files first and then,
20 come what may, after April of 2000.

21 So, therefore, all other things being equal -
22 - and maybe all other things are not equal. But just
23 all other things being equal, we would assume, well,
24 the more critical files are the more current ones.

25 MR. LEFFLER: I understand that but I'm still

1 trying to understand the process itself. I really
2 don't understand -- maybe I'm dense about this, but I
3 don't understand what the procedure really is here.
4 You have identified sets of files already that you
5 believe are exempt or should be exempt.

6 MS. BRAGG: Yes.

7 MR. LEFFLER: Okay. Now, once you put those
8 files aside, is it your understanding that you do or do
9 not have to go through those files page by page by the
10 year 2000?

11 MS. BRAGG: The file series that we propose
12 for exemption, assuming it's approved --

13 MR. LEFFLER: Yes.

14 MS. BRAGG: Make that assumption. We would
15 not go through that page by page by the year 2000. But
16 for each file series, we have had to identify a date or
17 event for declassification so that at some point we
18 have a choice now. We either review them again for
19 they're declassified when that date or event is
20 reached.

21 MR. LEFFLER: So let me just make sure I
22 understand. You've identified how many files now? Of
23 these 6,000, how many --

24 MS. BRAGG: Fifty-four. So you can see we
25 have less one tenth of one percent identified.

1 MR. LEFFLER: Okay. You have identified 54
2 file series in which all the materials in those series,
3 if approved, will not need to be reviewed by the year
4 2000?

5 MS. BRAGG: That's correct. Yes.

6 MR. LEFFLER: And you are unwilling or unable
7 to even tell us what those files are so that we then
8 will not be able even to have a sense of what it is in
9 these 56 categories that no one will have a right to
10 know even beyond 2000?

11 DR. GOLDBERG: Just a minute here.

12 MR. LEFFLER: I'm just trying to understand
13 specifically what's going on.

14 DR. GOLDBERG: I'm trying to get some
15 information here. Would it be possible to simply give
16 them the bare bones information without the reasons why
17 they're being exempted, would it not? Simply to give
18 them the list of files?

19 MS. BRAGG: No, sir. We have made the
20 decision in the Army that that is for official use
21 only. We have had it reviewed by what we call the FOIA
22 people, Freedom of Information Act people. It does
23 fall under the exemption categories and it will not be
24 released.

25 But I think we're kind of losing sight of the

1 big picture here. This is 54 categories out of 6,000.
2 It's a very limited amount of material. It will
3 eventually be declassified. It's just that it won't
4 automatically be declassified in 2000.

5 MR. LEFFLER: So, is the file -- you don't
6 have to say, but when you say a file, 56 files, like
7 might a file be records of the Chief of Staff?

8 MS. BRAGG: No, on.

9 MR. LEFFLER: What's a file?

10 MS. BRAGG: A file on nuclear weapons. A
11 file on biological weapons. A file on human
12 intelligence collection programs. Those are examples
13 of files, series. Personnel files are a file series.

14 DR. WAMPLER: But these are nominal
15 categories. They describe a type of information that's
16 in the file.

17 MS. BRAGG: That's right.

18 DR. WAMPLER: They are not, you know, record
19 group --

20 MS. BRAGG: Oh, no. They're not record
21 groups at all. They're not Sec. Army files or Chief of
22 Staff of the Army files or anything like that. They're
23 not even the name of a command file. It's a particular
24 subject matter.

25 DR. WAMPLER: Well, what I want to get at

1 then is --

2 MR. WEINBERG: Excuse me. Aren't these the
3 lists that we were sent with a cover letter on
4 December 11th? "Attached for inclusion in the
5 materials relating to the panel are copies of the
6 unclassified requests for files series exemption that
7 have been received from DoD components to date."

8 In other words, if I understand this, we have
9 been provided --

10 MR. LEFFLER: No. But if you look under the
11 Army one, it doesn't say anything.

12 MR. WEINBERG: And the one thing -- and
13 obviously your office provided a portion of this, as I
14 understand what we got.

15 MS. BRAGG: No. Not of the 11 December or
16 whatever you're saying.

17 MR. WEINBERG: I see. Well, the thing about
18 this, and if we ever get the supplement from this very
19 summary form of yours which I found was alarming, was
20 not a lot of detail as to content but the complete
21 absence of dates. I guess this is the historian in me.

22 MS. BRAGG: File series don't go by dates.

23 MR. WEINBERG: I'm sorry?

24 MS. BRAGG: File series do not go by dates.

25 MR. WEINBERG: But somebody must have some

1 clue as to what dates these files cover?

2 MS. BRAGG: Well, okay. Let me give you an
3 example. My job is information security. There is a
4 file series called 380-G. That's the number. And it's
5 called information security. So in the entire United
6 States Army, every Army Command that deals with
7 information security, if they get a piece of paper, if
8 I send out a letter to all these people about the new
9 Executive Order or whatever, they file that under that
10 file series, under 380-G, information security. And
11 then they put the date. But the file series has
12 nothing to do with the date of the record at all. It's
13 only the subject matter. In this case, information
14 security.

15 MR. WEINBERG: But I'm not disputing what
16 you're saying. I understand that. My point here is
17 that when you apply for an exemption on a set of files
18 on the basis that it's just not worth reviewing now.
19 That's really what you're saying. Because there are so
20 many things in there.

21 MS. BRAGG: It is so replete with exemptible
22 material that --

23 MR. WEINBERG: That presupposes that someone
24 has actually taken a look at this file, doesn't it? Or
25 the set of files?

1 MS. BRAGG: No. It presupposes that someone
2 has taken a look at the subject matter itself.

3 MR. WEINBERG: Okay.

4 MS. BRAGG: And that that subject matter is
5 so replete with information that would fall into one of
6 those nine categories.

7 MS. BRAGG: I understand. But when you are
8 describing it to get the approval for your list, is it
9 not possible to indicate that these are from 1960 to
10 1990 or something like that?

11 MS. BRAGG: Yes. And the way that I did it,
12 because I'm the one who works on the final version of
13 that, is that the Army has had a series of different
14 records management systems. The current one we have,
15 not to bore you totally, is called MARKS, the Army
16 Recordkeeping System. That started in something like
17 1987, I believe.

18 The system before that was called TAFS, the
19 Army Functional File System. That was from the --
20 don't quote me on the dates. It was like the mid '60s
21 up to '87, something like that.

22 Before that date, we were under the War
23 Department Decimal System. So what we had to do was
24 look at the files in the MARKS, the corresponding files
25 in the TAFS, then the corresponding files under the War

1 Department Decimal System.

2 Now, the numbers themselves may be different.

3 Under the War Department Decimal System, maybe
4 information security, if I could only think they had
5 something called information security, you wouldn't
6 have probably had that number, 380-G. We would have
7 had different numbers. It might have been called
8 something a little bit different in those days. But in
9 general, the types of information that the Army files
10 is pretty steady throughout that time.

11 Obviously, we didn't have nuclear files
12 before a certain period of reporting. We didn't have
13 stealth technology before a certain other period. But
14 the basic, these recordkeeping systems, they go back in
15 history to I believe 1912 was when the War Department
16 Decimal File System started and it was kind of a
17 military version of the Dewey Decimal System.

18 DR. WAMPLER: Well, then -- okay. For the
19 '50s, would a good guess be that under filing, for
20 example, 471.6092 dealing with international alliances
21 and relations and dealing with nuclear weapons, for the
22 period within which that system applied. And what
23 would happen is you'd pull up an Army file from that
24 period, go through it, first of all, and try to find
25 out if there's a file in there which has a number which

1 corresponds to your file exemption and then you'd just
2 pull it out.

3 You'd say, okay. If you have an approval for
4 that, you don't have to look at it until that date
5 which has been set.

6 MS. BRAGG: That would be a likely scenario.

7 DR. WAMPLER: Okay. Now, I think what Mel was
8 trying to get at, you've got 54 file exemptions
9 requested out of 6,000. That's 10 percent of the list
10 of files.

11 MS. BRAGG: No, no. It wouldn't be 10
12 percent. Fifty-four out of 6,000 is not 10 percent.
13 It's not even one percent.

14 AUDIENCE PARTICIPANT: There's a problem in
15 the appreciation of the term file series. As records
16 managers use file series -- and this confused the hell
17 out of us, too, so don't feel alone. As records
18 managers define file series, they're talking about an
19 area, subject area. But there is also -- many people
20 think, well, file series, they're talking about a
21 discrete physical collection with a beginning and
22 ending date that usually comes from an office and that
23 is not it. That is what we call a collection. And
24 that collection may have dozens of files series in it.
25 Except it's only a definition of a subject area.

1 That's the term file series.

2 There's another area also that you've having
3 problems with, and that is the fact that we are under
4 the gun for automatic declassification. So all files
5 that have not been reviewed by the year 2000,
6 April 15th, everything that hasn't been reviewed that's
7 older than 20 years old at that time that was
8 declassified. That's why they're starting with the
9 younger files because that's the files that has the
10 most damaging data in it as far as younger weapons
11 systems, more capable weapons systems, plans that are
12 closer to the plans that we have today.

13 MR. LEFFLER: I'm still trying to figure out
14 what we're talking about. What you said helps. But
15 when we say a file series, then, just to be specific,
16 are we talking about a decimal file like 471.6?

17 MS. BRAGG: That would be the number that
18 would correspond with the files. For instance, I gave
19 you the example information security.

20 MR. LEFFLER: Okay. That's great. Okay.
21 Now I'm starting to understand. So there are 56 of
22 those --

23 MS. BRAGG: Fifty-four. Yes.

24 MR. LEFFLER: -- 54 of those categories.

25 MS. BRAGG: Yes.

1 MR. LEFFLER: And on most of those
2 categories, once you enumerate them, if approved, then
3 nobody necessarily by the year 2000 will go through
4 those categories?

5 MS. BRAGG: That's correct.

6 MR. LEFFLER: Okay. And this, in other
7 words, means then that -- to go back to what Ms. Kloss
8 said -- that if you had identified a general category
9 like international activities and agreements, right?
10 That was one category. So file series that relate to
11 international activities and agreements have been put
12 in these -- amongst these 54.

13 MS. BRAGG: It could potentially be put
14 amongst them or potentially not. But if you're using
15 that as an example, that could be an example.

16 MR. LEFFLER: Okay. But is that the
17 criteria? I mean, I'm just trying to understand how
18 you've come to these 54 categories. Because those of
19 us who are very concerned about opening up materials of
20 high value are fearful. I am fearful that you are
21 taking sort of 40 or 50 categories of documents and
22 saying, we're never going to see these, or at least not
23 for the --

24 MS. BRAGG: I left out one part here. I left
25 out a very important part. And then I know, Professor

1 Trachtenberg had a question and I know he's the
2 godfather of the group so we've got to get him some
3 time.

4 The important thing to mention, and I
5 probably should have mentioned it in the briefing, is
6 that although you have a discrete file series -- I'll
7 go back to my innocuous area, information security,
8 which certainly would not make the 54. Although you
9 have a file series, anyone in the Army has the
10 opportunity to file that particular piece of paper in
11 any one of 6,000 files. So the same document that
12 would have been put logically in that file series is
13 going to be filed in all the non-exempt file series,
14 and we will be reviewing that page by page, or as best
15 we can. We will be reviewing it hopefully file by
16 file, box by box.

17 So the information, it is highly unlikely, in
18 my view, that there would only be one copy of that
19 document in the entire United States Army files that
20 would have been put in that file series. Because I
21 know that for any particular subject -- although we
22 have these 6,000 files, the reality is that whatever
23 your office deals with, you've got your own little set
24 of numbers.

25 So I'll get something in. Maybe a war plan.

1 Maybe somebody wants me to review it for
2 classification. Well, there's an Army file for war
3 plans but I don't put it in there. I put it under my
4 information security file. The logistics people put it
5 under their log files, et cetera, et cetera.

6 DR. GOLDBERG: Could you perhaps do a paper
7 on this subject for the benefit of this panel so there
8 will be a better understanding of how these file series
9 work, how the exemptions of them work, et cetera? I
10 think they don't include the high level material that
11 you're interested in except insofar as those files may
12 contain documents related to these file series.

13 And as we've heard, these documents may
14 appear in hundreds of files throughout not only Army
15 but through the Department of Defense and elsewhere,
16 too.

17 MS. BRAGG: Yes. Elsewhere.

18 DR. WAMPLER: Do you have a general sense
19 of -- okay. Fifty-four is a very small percentage of
20 6,000, but in terms of the 250 million pages.

21 MS. BRAGG: No. That's the unfortunate part.
22 And it's really the unfortunate part because it would
23 help us a lot with trying to plan for the resources.

24 Originally, we took the list from the
25 archives of the records centers and we said, okay,

1 based on the list, we'll see what's exemptible that we
2 can come up with. Now, that was a total disaster. I
3 mean, that did not work at all.

4 The lists that we were provided did not have
5 the specificity needed in order to see is it in one of
6 these exemption categories or not. So we had to say,
7 okay, go back to the drawing board. How can we best do
8 it.

9 And because we couldn't rely on those lists
10 to use and we had to look at it at face value what
11 would logically be the exemptible material, we have no
12 idea of the percentage. If we had relied on the list,
13 we could have determined the percentage. But because
14 of that, we didn't.

15 DR. GOLDBERG: Just a moment, please.
16 Members of the panel do have priority.

17 MR. TRACHTENBERG: What I wanted to talk
18 about is this whole issue of the great specter of
19 automatic declassification because it's come up a
20 number of times. Actually, the first time David
21 Rickman was talking about this whole thing. The danger
22 of just releasing all kinds of important things
23 wholesale which nobody wants. We just want a rational
24 system.

25 What I am going to argue is I think that this

1 whole specter is a red herring. It is not going to
2 happen. This is not something that we should concern
3 ourselves with. And I've read Section 3.4 quite
4 carefully many, many times.

5 This argument about automatic
6 declassification is subject, as you well know, to
7 paragraph B, which has all of these categories for
8 exemption. Now, it's true paragraph B refers to
9 exemption of specific information which might imply
10 document by document. But specific is one of those
11 words that is extremely elastic and will in fact be
12 pulled to cover whole categories of things, I believe.

13 And the reason I believe that has to do with
14 my observation of what's been going on with regard to
15 paragraph C and what we've been doing in terms of the
16 specific categories that we've been exempting now. And
17 basically what I'm doing is I'm testing how seriously
18 people are taking the precise language of the Executive
19 Order.

20 Now, if you notice in paragraph C, it says
21 that you can exempt right now files whose contents
22 almost invariably fall within the exempted categories.
23 That implies practically everything.

24 MS. BRAGG: Oh, no.

25 MR. TRACHTENBERG: Almost invariably it does.

1 Almost invariably.

2 MS. BRAGG: No, no.

3 MR. TRACHTENBERG: I'll just finish because -
4 - almost invariably. I should say almost always.
5 Right?

6 In reality, if you look at the kind of lists,
7 and I happened to look at the list -- the thing for the
8 U.S. Strategic Command, what do they include?
9 Historical program records, historical research.

10 I'm sure a lot of this stuff is legitimately
11 exempt but certainly, almost invariably, because I've
12 seen -- we've seen a lot of that stuff. And believe
13 me, I don't think the test of almost invariably would
14 apply. But what they're doing is to say there's a lot
15 of this stuff that shouldn't be released automatically.
16 We're going to exempt it.

17 And so --

18 MS. KLOSS: But I think in there, didn't they
19 say they're only exempting it until 2005? I mean, it
20 wasn't like they were way out in --

21 MR. TRACHTENBERG: They don't have --
22 actually, that's another thing because in subparagraph
23 2 there they speak about specific dates or events for
24 the declassification of the information. That's often
25 ignored. They're taking this with a grain of salt.

1 Nobody seems to mind.

2 Let me just go on. In paragraph D, they say
3 in addition to this almost invariably test, we can have
4 lists for specific information. I haven't seen any of
5 that stuff being done.

6 So, what I'm getting at is that the reality
7 is that the phrasing is taken not terribly literally, I
8 think it fair to say.

9 Now, let me just go on a little bit because
10 this has to do with my own experience with the --

11 MS. BRAGG: Can I just interrupt just for a
12 second?

13 MR. TRACHTENBERG: Well, it's --

14 MS. BRAGG: I'll forget if I don't. I'll
15 forget if I don't.

16 MR. TRACHTENBERG: Okay.

17 MS. BRAGG: I believe these lists have been
18 refined and they have passed the screening of Ms.
19 Kloss' office.

20 MS. KLOSS: They made it to the General
21 Counsel.

22 MS. BRAGG: And what you have there I think
23 is the --

24 MR. TRACHTENBERG: They've prepared a D list?

25 MS. BRAGG: The preliminary.

1 MR. TRACHTENBERG: Yes. I'm just saying -- I
2 agree. I may be true. That's the measure of how
3 seriously we should take this language. What the
4 strategic community has done is fine in practice.

5 MS. BRAGG: No, no. What I'm saying is the
6 list you get -- is this the 11 December --

7 MS. KLOSS: It's their preliminary
8 declassification.

9 MR. TRACHTENBERG: October '95 list.

10 MS. BRAGG: The list that has gone to Ms.
11 Kloss' office, and I can verify this because I was
12 burning the midnight oil refining our list. It passed
13 a close scrutiny before she would allow us to go to Mr.
14 Gray for something.

15 MR. TRACHTENBERG: That's my point. The
16 close scrutiny is a realistic test. They're taking
17 these things realistically. They're saying the text
18 of the Executive Order, the test of almost invariably -
19 - yeah, that's on paper. But we all know that in
20 reality things work in a somehow looser way.

21 Let me just -- I have two more points to kind
22 of demonstrate that this whole argument is, as I say, a
23 red herring.

24 The next argument has to do with my own
25 experience with the Freedom of Information Act. I

1 actually read the text of the Freedom of Information
2 Act. You look at the text of that Act. Very precise
3 deadlines for getting material out. It doesn't say if
4 budgetary resources aren't allocated that agencies
5 should be free to stretch out compliance with the Act.
6 But that's the way it works in practice.

7 In reality, if the axe is about to fall and
8 you say, well, we haven't been able to do this because
9 you haven't given us the money, nobody is going to
10 object to that. That is absolutely the way this is
11 going to happen, just as it -- and it happens with
12 FOIA, especially since -- and this is one of the
13 comments you made. You pointed out how the RD and the
14 FRD stuff is mixed up totally with all these things.
15 The President can give Executive Orders until he's blue
16 in the face. He doesn't have the right -- he doesn't
17 have the legal authority to force any agency of the
18 government to violate a law passed by Congress.

19 MS. BRAGG: We agree.

20 MR. TRACHTENBERG: Right?

21 MS. BRAGG: We agree.

22 MR. TRACHTENBERG: And so this is yet another
23 argument that will be used when the time comes to avoid
24 this kind of massive automatic meat axe approach to the
25 declassification problem. So this is not a real issue.

1 This is not a real issue. It is not going to happen.
2 And I think we can just sweep it off of the agenda, at
3 which point Mel's point applies, about let's begin with
4 the early stuff and proceed in a rational way.

5 Which brings me to the question that I have
6 is basically, you want advice from us? Are you coming
7 to us asking for input or would you just as soon be
8 allowed to kind of get on with your own work instead of
9 having to come up with more documents and more reports.
10 Wouldn't it be better from your standpoint for us to
11 just get off your back, so to speak, and allow you to
12 do the work or is there something specific you would
13 want from us?

14 MS. BRAGG: You've raised a lot of questions
15 here.

16 DR. GOLDBERG: Just a moment, please. We
17 have three more briefings after this. There will be an
18 opportunity to discuss the same matters in future
19 briefings. I call on you to take a look at the back of
20 the room. You brought part of the audience to its
21 feet.

22 So I think at this point we will take a five
23 minute break and resume.

24 MS. BRAGG: Sir, before we do, I would be
25 remiss if I didn't address Professor Weinberg's comment

1 and also Professor Trachtenberg's.

2 Our key concern here is the protection of our
3 soldiers and of this nation. That's our key concern.
4 We're not trying to duck out of this Executive Order.
5 We're not trying to come up with red herrings out of
6 the air. We're not trying to come up with excuses.

7 As Dr. Clark will tell you, the Army has a
8 proud history. We want to tell our history. But the
9 main reason that we have an Army is to protect this
10 nation. That's our first priority. We've got to keep
11 our eye on the ball here.

12 I didn't want to leave with --

13 MR. WEINBERG: That's exactly related to the
14 point that Professor Leffler has made and Professor
15 Trachtenberg has made, that I have made. If you start
16 with the period '45 to '60, you will be most likely to
17 protect our soldiers because you're then dealing with a
18 period where the current relevance and future relevance
19 is likely to be least and the dangers of release that
20 Ms. Kloss and you referred to are likely to be
21 minimized.

22 MS. BRAGG: But what do we do in April 2000?

23 DR. GOLDBERG: I'm going to have the last
24 word at this point. The odds are very great that the
25 declassifiers will start with '45 and the '45 to '60

1 period will be given priority and that it's a red
2 herring at this point to think they're going to start
3 with '75 and work backward. I don't know any who are
4 really planning to do that.

5 MS. BRAGG: That was just a scenario if we
6 didn't get the adequate resources. That was a
7 scenario.

8 MR. TRACHTENBERG: Well, you're not going to
9 get the adequate resources. That we know.

10 (Whereupon, a brief recess was taken.)

11 DR. GOLDBERG: The next briefing will be the
12 Navy briefing which will be presented by Mike Brown.

13 MR. BROWN: Thank you. Thank you very much.

14 You probably don't need that because you know
15 what I'm going to talk about. I think you will find
16 that we've got some pretty common elements here that we
17 might want to address universally rather than in the
18 specifics. I'll have to get help from Dr. Kloss for
19 myself because she did an admirable job and she's
20 always a hard act to follow. In this case, a very hard
21 act to follow.

22 The Navy plan was submitted, as required, to
23 the Director of the Information Security Oversight
24 Office in November last year and approved in January.
25 And I'll quote from the approval, which is that it's

1 comprehensive and clear; meets the requirements of
2 Section 3.4(e) of the Executive Order.

3 That's kind of like a B plus, I guess.

4 That initial plan surveyed, as best we were
5 able, those commands and activities, and brought in
6 from the National Archives Record Center, just local
7 command records, to try to estimate the volume of
8 records that are affected by the order and identified
9 where the records were located.

10 That plan was updated in April of this year
11 to provide a little more comprehensive identification
12 of the records, where they were located, and perhaps
13 the volume of those, which increased somewhat.

14 The approach that we're taking -- and I find
15 that maybe the term centralized and decentralized and
16 how we're using that term may differ with the different
17 organizations, military departments and other defense
18 agencies. Basically, what we mean when we're talking
19 about centralized management of the plan is that the
20 senior security official in the Navy, who is my boss,
21 has the responsibility for implementation of the
22 Executive Order. And further, then delegates the
23 functional responsibility to me as the CNO assistant
24 for Information and Personnel Security.

25 And what we've done is decided that we will

1 act in an capacity to provide guidance, coordination
2 and liaison. Guidance to the Navy commands who have to
3 execute the plan. And this plan is their plan. It
4 wasn't our plan. We didn't say, here's what you're
5 going to do. We bought people together and said how
6 can we best achieve the goal here. And that is, that
7 we're going to develop guidelines, declassification
8 guidance. We're going to coordinate among ourselves.
9 We're going to effect liaison with other agencies so
10 that we can figure out how best to approach the task.

11 The decentralized management or
12 decentralization execution -- that's what we'll call it
13 -- gives to those commands, the major claimants, those
14 that have the equities and the records, wherever they
15 are, the opportunity to assess their own capability to
16 attack the record declassification, to identify those
17 records, to review those records and to dispose of
18 those records.

19 It is for declassification or in some
20 instances to determine that perhaps in our history of
21 records management we were somewhat remiss in not
22 properly identifying permanently valuable records.

23 Astounding numbers. We estimate our Navy
24 records -- were placed on the kinds of input that we
25 can get. This must be some of what you were asking

1 about earlier -- that we get from NARA, we get from the
2 Federal Records Centers, the Presidential libraries, of
3 what categorization and identification of records that
4 they have that we can look at to begin the process of
5 breaking out what will be affected by this
6 declassification process. Such things that identify --
7 one on the short listing here -- records of the Office
8 of the Chief of Naval Operations, that organization.

9 And these have some very succinct and often
10 not very descriptive identification of what those
11 records contain which may be Office of the Chief of
12 Naval Operations 1947 INTEL reports. We have a much
13 larger stack of those. This is illustrative of what we
14 are getting to identify.

15 So at that point, we're at 500 million pages
16 of records, estimated. That does not include those
17 records that other agencies are going to identify that
18 contain some Navy equities, and which will be referred
19 to us.

20 I think this figure is going to become
21 somewhat standard at a nominal cost of \$1.00 a page to
22 conduct a review that's not necessarily a line by line
23 FOIA type review with an intent to redact and bracket
24 out the minutia or minute bits of information but
25 rather a cursory review to determine whether within

1 those records there's a distinct possibility or perhaps
2 an even identifiable means to determine that they do
3 contain exempt material.

4 Now, the point that was made earlier is that
5 if we go for the low hanging fruit, the older stuff, we
6 can turn out a lot of material initially. And that's
7 true. The approach at this point is necessarily to
8 look at the records at the National Archives, the
9 Federal Records Centers, the Presidential libraries,
10 which included the special project to go to the Johnson
11 Library with the External Referral Working Group to
12 begin the process of looking at those and capturing
13 that information on electronic media and bringing it
14 back to look at.

15 We have established a group in the Navy
16 of records managers and security specialists from the
17 different Navy activities, primarily in the Washington
18 area because, as Helen said, that's where most of our
19 records are maintained and where most of the folk who
20 are going to have to look at these records from a
21 technical standpoint are located. We meet periodically
22 but frequently to discuss lessons learned, what
23 approach is being taken, what assets are available to
24 apply to the task, is there some commonality that we
25 can achieve to eliminate one activity having to do all

1 the work.

2 And we currently have 34 people ranging from
3 An O/6 through some military reservists to GS-14's down
4 through GS-5's who are employed at reviewing records,
5 either on a full-time basis or on a 5 percent basis.
6 And that, depending on the individual Navy Command's
7 assessment of their need to do the job and how we're
8 best going to be able to do it with the resources that
9 they have.

10 I'm not going to be overly redundant here
11 because the point has already been made by Ms. Kloss,
12 by Helen, by Dr. Goldberg and Professor Trachtenberg
13 that resources are our biggest problem. But we have to
14 do what we're doing within the constraints of the
15 resources that we have. And the ability to obtain
16 additional resources is dependent, as you know, on how
17 well you plead your case and competing resources.

18 The approach that's being taken by these
19 activities is a simple pass/fail philosophy. It's
20 either in or out. It's either still classified or it's
21 not. It's not partially classified. And we're going
22 to look at it to examine whether it can be downgraded.
23 We're not going to redact because that slows the
24 process down. And we're in a learning curve now.

25 We do not have -- did not have a team, an

1 already established function of doing this that was
2 ready to go and -- "go team" to go anywhere in the
3 world and declassify our records wherever that might be
4 found. We'll have to start this process and we're
5 learning and we're teaching.

6 As I mentioned earlier, we have been ready to
7 go with this ERWIG activity and I do not have time, did
8 not envision that we would have the time to go into
9 some very detailed presentations of how our individual
10 activities are taking -- how they are accomplishing
11 their efforts. But what have we accomplished at this
12 point?

13 We have reviewed almost 2600 cubic feet of
14 records. These were primarily records from the Office
15 of Naval Intelligence, Marine Corps, Naval Sea Systems
16 Command. Of those -- and here's an astonishing thing
17 which will indicate part of the problem. As I referred
18 to earlier, not all of these records are permanently
19 valuable records. Of that 2600 or so cubic feet, only
20 570 cubic feet were determined to be permanently
21 valuable.

22 Of that 570 cubic feet, we declassified a
23 little over 300 cubic feet. Using our standard of 2500
24 pages per cubic feet, that's probably three-quarters of
25 a million pages. I mean -- yes. Three-quarters of a

1 million pages of declassified material that has now
2 been put on the conveyor belt. It's been declassified.
3 It hasn't been released. It's been put in that process
4 to be released.

5 The cost of doing that comes close to the
6 \$1.00 per page, the nominal cost that we've identified.
7 And these are records that are the older records. I
8 have Commander Terry Pike, a Naval Reservist here, who
9 has been leading the charge on getting Naval
10 intelligence records declassified and she has a team of
11 Naval Reservists and they're doing an excellent job in
12 trying to accomplish the task.

13 We have updated all Navy classification
14 guides. For us, that's something. And the reason it's
15 something is because a long time ago we made a
16 brilliant decision -- we can say that now because it's
17 kind of playing out that way -- to bring the
18 responsibility for management, recording and
19 promulgation of all Navy classification guides into one
20 office, my office, so that we have a standard format
21 and ostensibly achieve some consistency in how those
22 guides are presented, the language that's used, the
23 areas that they identify and that we achieve
24 consistency across programs because we have many of the
25 same elements of information that apply to different

1 systems and programs, so we wanted to make sure we have
2 an equivalent classification goal established.

3 We've updated all those classification guides
4 to bring in the language of the new Executive Order
5 regarding exemptions, eliminated the OADR markings.
6 And additionally, we have produced a Navy -- we've
7 updated the Navy Declassification Guide for 25-year old
8 information, which has been an ongoing project for many
9 years in response to a DoD requirement.

10 And we used to call it something else. We
11 called it a continued protection guideline. Well, now,
12 we're taking a different approach. Anything that was
13 not in that guide for requiring continued protection
14 was declassified. So now we're taking a little
15 different approach that identifies what can be
16 declassified.

17 In addition to that guide, we have kind of
18 ongoing elements that are being presented. Just
19 yesterday, I just got a topical declassification
20 identification which is some older series of surface
21 search regulars. Navy Sea Systems Command said we've
22 looked at these and now all of these surface search
23 regulars, these detonations, everything about the
24 performance, technical specs, are now declassified
25 because they're older systems.

1 So those individual inputs will be
2 incorporated into this declassification guide, which we
3 provide to the National Archives. We feel that we are
4 making pretty good progress at this point. I do not
5 feel that we will achieve the 15 percent this year and
6 I think that's to be expected because we're continuing
7 the process. But we started the wheels turning and
8 we're moving along.

9 That's my 15 minutes.

10 Thank you.

11 MR. WEINBERG: I have a question on your --
12 you indicated, and I think that makes very good sense,
13 that you're not getting into mucking up parts and
14 pieces of documents. They're either one way or the
15 other. When they are the other, i.e., they remain
16 closed, are you doing as I understood the Army is
17 doing, then indicating on the file or document a
18 declassification date or are you planning to go over
19 those all over again regardless?

20 MR. BROWN: There will be several iterations
21 of that scenario. One is that we may look at the
22 record and say this is restricted data or formerly
23 restricted data. This is the common red flag that goes
24 up because we all know we've got a law there that we
25 have to adhere to. So, this restricted data or

1 formerly restricted data we're not going to do anything
2 with it. We're going to send it to DOE.

3 Now, similarly, if we get something -- if we
4 look at something that we identify as another agency's
5 equity, we're going to refer it to them and let them
6 take the action. If it's a Navy record, we're going to
7 mark it with a date or event for declassification.

8 MR. WEINBERG: Okay. You are going to mark
9 the Navy things. I just want to make sure I understood
10 what you said. The Navy things that on the review
11 remain closed, are going to have a date of opening on
12 them. Is that right?

13 AUDIENCE PARTICIPANT: A date or event, sir.

14 MR. BROWN: A date or event.

15 AUDIENCE PARTICIPANT: Or the guide that says
16 when it's going to be declassified.

17 MR. WEINBERG: So it will say 2005 or
18 whatever?

19 MR. BROWN: Yes. Now, that's part of what we
20 give with the declassification guides and the
21 classification guides because we have over 1,000
22 classification guides that address every system, most
23 every system, plan, program that is classified. And
24 that guide, since they are updated under the old
25 Executive Order, required to be reviewed on a biennial

1 basis and not a five year basis under the new Executive
2 Order. We will cite that guide as being the
3 controlling document for future review -- as the
4 controlling guide for the future review of that
5 document.

6 MR. WEINBERG: Now, let me make sure I
7 understand what you're saying. If it's a Navy document
8 or file and you've decided it's got to remain closed,
9 it gets a date in which unless you look at it again,
10 it's automatically declassified. Is that correct? Or
11 is it simply a date at which it will get another look?

12 AUDIENCE PARTICIPANT: It will get another
13 look. What has been done for the most part with those
14 that have been exempted, and there are several
15 different approaches. Some have dates. Some have
16 events. But if we have to exempt it, we don't know
17 today when that information is going to be declassified
18 because it's exempt and there's a reason for the
19 exemption. So we cite the guide that will tell us.

20 When that guide is updated and the guidance
21 is you can declassify it, then that's when that will be
22 declassified. We put on the box or put on the record
23 of review the guide that protects it, the reason for
24 classifying it. So when that classification guide says
25 you can declassify that information, that's the event

1 that will allow you to declassify it.

2 MR. WEINBERG: But there's no date which says
3 that as of such-and-such a date, this record must be
4 reviewed again?

5 AUDIENCE PARTICIPANT: No, no. That's not a
6 requirement that you have to re-review the document,
7 that you have to set a date for re-review.

8 MR. WEINBERG: But aren't you making your own
9 life more difficult? That is to say, if you've got
10 different categories with different dates, it means
11 that every one of those you're going to go through
12 again instead of having categories which are going to
13 be going after five, after 10, after 15, whatever the
14 number is.

15 AUDIENCE PARTICIPANT: Sir, this is a very
16 complicated business.

17 MS. BRAGG: Believe me, if we could look in a
18 crystal ball and determine when a piece of information
19 loses its sensitivity out in the future, Mr. Brown and
20 I and our colleagues in the Air Force would be very
21 happy. But by the nature of the Department of Defense,
22 the type of stuff that we classify, it is very hard to
23 look in a crystal ball.

24 There are some cases where you can but for
25 the most part --

1 AUDIENCE PARTICIPANT: May I have an example,
2 an operational example?

3 I finished 100 boxes of acoustic mag tapes
4 that look at the acoustic vulnerability of the USSBN's.
5 I exempted those 100 boxes. And the event I put under
6 the exemption was when we decommission that SSBN, I no
7 longer am concerned about its specific acoustic
8 characteristics and their vulnerabilities.

9 The advantage of having a systematic
10 downgrading and declassification system allows me
11 systematically, as a particular file, to go back and
12 look for that box. Instead of having the event prompt
13 me, I have that box scheduled at every five years or
14 every 10 years, when I've now scheduled it. I can go
15 back and say -- I'm not shaving with big razors out of
16 that. Now I don't need to protect that particular
17 SSBN's acoustic vulnerability.

18 That's the advantage to me from a management
19 perspective rather than having it every time I
20 decommission something or every change in the
21 technology. I would rather have put that into a system
22 and from a management perspective annually have to
23 review every record on an annual basis that I've now
24 scheduled for systematic review by its having then
25 driven -- but that's a particular -- from the Office of

1 Naval Intelligence perspective.

2 The other aspect I would like -- and I don't
3 want to digress too much further, but in the permanent
4 historical value, valuable material, there are -- 2000
5 records that were not determined to be, and I'd like to
6 give you an operational example of how those got into
7 the records system, so you don't think who's making the
8 call on that that material is not permanently
9 valuable -- we're working very closely with Jean
10 Schauble's people in the Department of the Navy trying
11 to determine how did we get in the predicament we're in
12 today.

13 How do I have 10,000 cubic feet? And then,
14 -- being in the field commands or on ships and giving
15 the order that the war is done and you can go home and
16 we basically shovel things into boxes, tape them, send
17 our sailors home and thus that material is gone.

18 So, I anticipate that as I go through those
19 cubic feet and identify historical material, I can then
20 check on a closer basis to exempt only those particular
21 information very objectively and release the policy and
22 guidance materials.

23 DR. GOLDBERG: Do you understand that?

24 (Laughter.)

25 AUDIENCE PARTICIPANT: I wanted to give an

1 example.

2 DR. GOLDBERG: Any other questions?

3 (No response.)

4 You're almost getting off easy here.

5 MR. DAVID: Jim David from the Air and Space
6 Museum. I'm going to take or suggest kind of a
7 different tack here, and that is possible exemption of
8 entire collections. For example, the secretaries of
9 the services, Secretary of Defense, a lot of the
10 assistant secretaries, Chiefs of Staff or assistant
11 Chiefs of Staff, et cetera, which would leave records,
12 for example, Army Office of the Surgeon General records
13 -- both at the National Archives and at the Records
14 Center in Suitland as possible candidates for automatic
15 declassification.

16 And then permit the bulk of the resources to
17 be committed to systematic review of the records of
18 greatest interest; the secretaries and chiefs of staff,
19 et cetera.

20 AUDIENCE PARTICIPANT: Good suggestion.

21 MR. DAVID: For example, the Army currently
22 is planning on applying for exemption of 54 or 56
23 specific file series. Regardless of what collection
24 those files are in, the EO specifically provides that
25 exempt files are subject to systematic review.

1 I would suggest that when it comes to the
2 exemption dealing with weapons of mass destruction,
3 simply apply for an exemption of all records on the
4 chemical warfare and its successors, whether in RT-175
5 or one of the holding areas up at Aberdeen and do
6 similar such exemptions and then start systematically
7 reviewing Secretary of the Army records, Chief of Staff
8 and down from there. That's my recommendation.

9 MR. BROWN: We also have a requirement that
10 we're trying to meet, which is, at least in this first
11 year, are the greatest obstacles because of the time
12 it's taking to get where we are now and to get this
13 machinery put together to try to achieve the 15 percent
14 goal.

15 MR. DAVID: But what I'm saying is 15 percent
16 is the goal of non-exempt records. What I'm really
17 focusing on is the exempt records. And so the 15
18 percent is a much smaller number if you have, for
19 example, all the records of chemical warfare service
20 and its successors, wherever located, are exempt.

21 AUDIENCE PARTICIPANT: What you're saying, I
22 guess, is that you would exempt this part of the entire
23 collection, entire group --

24 MR. DAVID: Correct.

25 AUDIENCE PARTICIPANT: -- and tackle only

1 that which has not been exempt. And that's the plan.
2 That's what the Army is doing.

3 MS. BRAGG: He's saying one thing further.
4 What he's saying, I believe, is that of the exempt
5 material, that we would have an aggressive systematic
6 declassification review of the exempt material.

7 MR. DAVID: Correct. Starting from the top
8 down.

9 MS. BRAGG: Or starting from the middle out.
10 It doesn't matter. What the problem is is one of
11 resources. And I hate to just keep saying this over
12 and over and over again like a broken record, but think
13 of the Army as a swimmer who is out there and about to
14 go down for the third time trying to come up with
15 resources to deal with the automatic program. And if
16 we have an aggressive systematic program at the same
17 time as the automatic program, it's like throwing an
18 anchor around our neck and we'll sink to the bottom.
19 We won't be able to do anything. There will be so much
20 on our plate.

21 I think we'll admit -- I mean, if anyone asks
22 me how should this Executive Order have been written, I
23 would have said, well, maybe it would have made more
24 sense to really put more emphasis on a systematic quota
25 and really get to the heart of what the historical

1 community and other groups that represent the public
2 interest are really interested in, rather than this
3 vast mountain of dusty files. That's not how the
4 Executive Order was written.

5 AUDIENCE PARTICIPANT: To answer your
6 question, Section 3.5 of the order conceives of a speed
7 whereby we give you all of the non-exempted records in
8 the next -- less than four years. Then on the 18th of
9 April 2000, we start reviewing systematically all of
10 the exempted records. That's what the order says.
11 That's what the President wants.

12 In order to change that, you have to see the
13 President. And I said that the last time at this
14 meeting and I think that's still valid.

15 MR. WEINBERG: Let me just come back to -- if
16 I understood correctly your figures, the -- and this is
17 the issue of the pilot project which currently worries
18 me. If I understand correctly, the sample figures that
19 you were using that added up to half a million dollars
20 or so on and so forth, you had -- do I remember this
21 correctly? CNO records from the late '40s, early '50s,
22 primarily reports from ONI. Did I hear you correctly?

23 MR. BROWN: In what we have accomplished
24 already?

25 MR. WEINBERG: Yes, yes.

1 MR. BROWN: Primarily.

2 MR. WEINBERG: Okay. Well, --

3 MR. BROWN: And the Marine Corps.

4 MR. WEINBERG: And certain Marine Corps.

5 Well, may I suggest that that's not necessarily the
6 most accurate basis on which to do your predicting
7 thereafter. ONI records, at least ONI records that I
8 have seen, suggest that the proportion of problems is
9 likely to be relatively higher than average than if you
10 take, in other words, the exempt categories and areas
11 out. Then you do those which are in the over 25 year
12 period which are left in that batch. ONI reports are
13 likely to be, it seems to me, proportionately slower to
14 work on, higher proportions of problems than most -- at
15 least a substantial proportion.

16 And so in terms of producing substantial
17 numbers of higher level materials, let us say
18 operational material in the CNO records from the Korean
19 War, let us say, are likely to be, shall we say, more
20 rapidly processed or less likely to raise problems and
21 also, more likely to help you meet your percentage
22 targets.

23 We're not as unrealistic as we may sound on
24 this project.

25 MR. BROWN: I agree with you 100 percent.

1 The problem here, and that's one of the benefits that
2 we get here, is to be able to identify, examine just
3 that kind of an approach or perception. I'm not saying
4 it's an incorrect assessment. However, the Office of
5 Naval Intelligence has been able to identify and bring
6 resources to bear.

7 AUDIENCE PARTICIPANT: The Director of Naval
8 Intelligence stands committed to have --

9 MR. WEINBERG: I'm sorry. Could you start
10 over again? I just couldn't hear you. Sorry.

11 AUDIENCE PARTICIPANT: The Director of Naval
12 Intelligence stands committed to take the funding for
13 this project out of HIDE. And so he has identified
14 money to put towards this project. Since the
15 Department of Navy has adopted a decentralized
16 approach, we prefer think that we're at the forefront
17 and have people who have worked more than five years
18 stand committed.

19 It may not be the order in which we would
20 have preferred to review records. It may not be the
21 correct years. But we're going to review our records.

22 MR. BROWN: To take your other suggestion,
23 the CNO records -- and I'm not trying to focus anything
24 on Dr. Dudley here. He has a project already
25 identified that he has to accomplish that he has

1 already identified resources to take care of. And
2 that's to review business form records. And until he
3 finishes that project, he cannot apply his resources to
4 this effort.

5 So, you know, the approach that you have,
6 that's what we'd love to do. We don't have the people
7 who are trained, one. Two, we have not yet been able
8 to break down -- when we've looked at it from the 360
9 degrees, to try to figure out what's the best way to
10 make the first cut on this thing. And we think we did
11 it with identifying -- we don't have any money pond,
12 out-year programs, to take care of this Navy wide.
13 That is a simple pot of money. But that's a big put of
14 money. We've used just one dollar as nominal cost.
15 Big pot of money to try to go in and identify.

16 And that's a continuum, too. That's not just
17 a one-time shot. Because as we deal with this 25
18 through 20 year old directive, there's a whole bunch
19 more that are now coming on line. Just haven't reached
20 that point, too, that we'll have to continue to look
21 at.

22 MR. WEINBERG: But that only argues along the
23 same lines as Professor Trachtenberg and I have been
24 saying. And is, if you do your training of the
25 personnel on the earliest part of the records, then if

1 and when, as is going to happen, mistakes are made,
2 they are least likely to have any significant impact.
3 And by the time they get to the chronologically and
4 substantively more sensitive files, the newly trained
5 people presumably would be better at it.

6 MS. BRAGG: What if we run out of time?

7 MR. WEINBERG: I'm sorry. I didn't hear what
8 you said.

9 MS. BRAGG: What if we run out of time?

10 MR. WEINBERG: Well, you're not going to run
11 out of time because precisely starting at the
12 chronologically earlier period is the way to be most
13 likely to get you the percentages figure that are your
14 targets.

15 MS. BRAGG: That's not the clock I'm worried
16 about. The clock I hear ticking is 17 April 2000.
17 That's my problem.

18 MR. TRACHTENBERG: What's your answer to the
19 argument I made?

20 MR. WEINBERG: Nothing is going to happen on
21 that 17th of April. Not to you, not to the documents,
22 not to anybody.

23 DR. WAMPLER: I was also wondering, on the
24 same line, that you're talking about these 15 percents.
25 Okay. It's 15 percent of the non-exempt material. Is

1 that the way you figure it? You put in you initial
2 request and as you identify targets of opportunity, you
3 carry out your review for other documents, files or
4 whole collections you think are replete.

5 What happens if you don't make the 15
6 percent?

7 MR. BROWN: Well, that's yet to be answered,
8 because I don't know where the declassification police
9 is.

10 DR. WAMPLER: It means we need flexibility
11 here and both the time line and the 15 percent are in
12 the middle of this somehow, to see where we can find
13 somebody to interpose our qualitative concerns with
14 your supposedly quantitative axe over your head.

15 MR. BROWN: And I think that we can deal with
16 that situation if we do exactly what you're saying.
17 That we can meet perhaps two goals, not necessarily
18 completely but if we add this goal and this goal, which
19 we met or came close to meeting and this one which we
20 came close to meeting, maybe that all adds up to --
21 okay, we'll consider that to meet the letter and intent
22 of the Executive Order -- and the spirit.

23 DR. WAMPLER: Because I got the assumption
24 from the Army briefing that you might be able to use it
25 like income averaging. You'd look at this and you'd

1 say, okay, we didn't get the first year, but if you
2 looked at it over the full four years, it all works
3 out.

4 MR. BROWN: Sure. Yes.

5 DR. WAMPLER: And you need some kind of
6 flexibility here to give you political cover,
7 bureaucratic cover, if you're trying to make a good
8 faith effort to respond to our recommendations.

9 MR. BROWN: And part of the way that the
10 individual commands identify how they're going to
11 achieve this is, okay, first year, we figure we can do
12 2 percent. Next year, we'll jump to may be 17 percent
13 and then the next year we will have our learning curves
14 taken care of. We will have then been able to take
15 care of the older material and gotten that shoved out.
16 That kind of stacks the boxes up over in our office for
17 them to start processing, but it at least meets our
18 goal.

19 DR. WAMPLER: Is your requested file
20 exemptions in the same category as the Army's that
21 cannot be seen?

22 MR. BROWN: I can't answer that question
23 straight away because we have gone in with an exemption
24 for all of our standard subject identification codes,
25 which aren't identified except in an administrative

1 document that covers all those, similar to what Helen
2 had identified. We've gone through several series of
3 administrative requirements for identifying records.
4 One does not necessarily compliment the other. They're
5 separate and distinct.

6 And currently, we use a standard subject
7 identification code so that everything that gets
8 written gets some kind of identifying number for
9 information retrieval purposes in very broad
10 categories.

11 I'll use Helen's example and show it over the
12 Navy, just so you'll have another number to worry
13 about.

14 In information and personnel security and
15 other security arrangements, we have a 55-10 series.
16 So everything that pertains to information, personnel
17 security, physical security, will get categorized under
18 that heading. That may include information that
19 pertains to nuclear weapons. But I'm writing on it in
20 my capacity as a security manager and I'm saying, okay,
21 the attached document, or the problem dealing with
22 physical security in nuclear weapons at a certain
23 location is addressed in this manner. And by the way,
24 we have 57 of this type at that location.

25 Well, when it comes time to look at that

1 record, the only thing in there that's classified is
2 what is pertaining to the nuclear weapon, but it will
3 have been categorized under my file series because I
4 wrote on it. I've made a security policy decision on
5 it. But the real classified information in there
6 belongs to the Department of Energy.

7 So when I come across that record and look at
8 it and say, oh, it's 55-10. But it's classified and it
9 contains restricted data, so it goes across the street.

10 MR. ULMAS: That's where the problems come
11 in. I'm Roger Ulmas, a Goodman Researcher. The way I
12 see it, you and the Army are both avoiding the spirit
13 and the intent of the Executive Order, in that this is
14 left for a computer system. As one member of your
15 staff mentioned, a tickler system that would let you
16 know when some thing might be declassified if it fell
17 into like a series classification or a special
18 exemption.

19 This is not the intent. I would trust a less
20 than perfect human system put on a computer system and
21 we'd both be reassured. If there's no administrative
22 appeal on a hidden list, I immediately get concerned.
23 But I realized that you have had the past
24 responsibility on much information that should be
25 declassified, but in the past, you institutionalized --

1 not you personally -- the government has
2 institutionalized some bad policy, and that is what has
3 brought about the current Executive Order.

4 We have such a vast amount of documents to be
5 declassified. Much will be hidden. And if by chance,
6 through what errors that were being held by an agency
7 in a classified manner because they didn't feel it was
8 time they could let it out because it could embarrass a
9 certain branch of the government and that was put on a
10 list, it ought to be able to be eligible for review
11 either within the branch of the Navy or the DoD or
12 within the Information and Security Oversight Office.

13 But the way I see both the Army and the Navy
14 speaking now, it's not only less than perfect, it's a
15 cause for concern.

16 MR. BROWN: Well, we're trying our best,
17 that's all I can say, with what we have now.

18 MR. ULMAS: But from what I've heard today,
19 that's not good enough. There has to be a safeguard
20 built into it because though you may be a 100 percent
21 honest individual, the person that follows you may
22 misinterpret what you intended. And I would like to
23 have a chance of appeal or somebody else to have a
24 chance to appeal if they disagree.

25 MS. KLOSS: Sir, you absolutely have an

1 appeal process. That was the panel that Dr. Goldberg
2 briefed you on last meeting.

3 MR. ULMAS: Yes. But if I don't know what
4 the categories are and I may be looking for it but I
5 don't know they're on the list, there's no way them.

6 MR. WEINBERG: Excuse me. There used to be -
7 - and I have some experience in this regard. Under the
8 Nixon Executive Order, there was an interagency
9 classification review board to which one could take
10 appeals. That then disappeared in the Carter Executive
11 Order. And my recollection, in the Reagan one. I
12 understand there is one in a sense of a different kind
13 reinstated. And I distinctly recall, because I took a
14 case to them and one over the National Security Agency,
15 with the result that very large quantities of records
16 which they had originally kept closed, were directed
17 open by the board to the NSA.

18 My understanding is, and I obviously could be
19 corrected, that there has been an intent, at least, to
20 have some kind of an appeals procedure -- this is why
21 I'm addressing your question -- in effect reinstated
22 now. How far along it is in actually working, I don't
23 know. But at least my understanding is that after this
24 gap of a good many years between the Nixon order, then
25 eliminated in the Carter and Reagan order -- I'm sorry.

1 I don't mean to offend anyone. I'm just trying to do
2 some periodization here.

3 But that now, again, there is to be an
4 appeals procedure and that therefore means, if I
5 understood your concern, that it will be possible for
6 individuals outside the government, as I was when I
7 took this appeal in the past, outside the government,
8 to have a body of records which the outsider can only
9 describe very broadly -- by definition, you haven't
10 seen them -- looked at and reviewed and a new set of
11 decisions made.

12 Do I understand that correctly?

13 DR. GOLDBERG: Yes. That's part of it. The
14 other part of it is if he doesn't know what he's
15 appealing, he can't appeal. If he doesn't know what
16 has been exempted. This is what you're saying.

17 MS. BRAGG: Well, he's got to identify the
18 information that's of interest to him.

19 DR. GOLDBERG: But not the file series or the
20 specific record.

21 MS. BRAGG: No. But then you would address
22 that as it comes in and it would go through the normal
23 process that we take.

24 MR. WEINBERG: But if I don't know how you're
25 describing it, the person that reads my request --

1 MS. BRAGG: Tell us how you would describe
2 it. Tell us the information that you want.

3 DR. GOLDBERG: No. We're not going to go
4 into that. I'm sorry. That would take too much time.

5 MR. BROWN: I would be glad to stand here and
6 answer questions but I think we probably have some
7 common questions that maybe after the Air Force does
8 there, --

9 DR. GOLDBERG: Yes.

10 MR. LEFFLER: I have one. Can I ask one
11 question?

12 DR. GOLDBERG: Sure.

13 MR. LEFFLER: What advice would you like from
14 the advisory committee?

15 MR. BROWN: Early on, a decision was made --
16 I won't say early on. I think probably at the second
17 meeting -- that you would like to see some pilot
18 projects which would identify certain records of
19 certain agencies for targeting because they represent,
20 from your perspective, those records are of great
21 interest to historians, to researchers and to the
22 public.

23 And I think that's the role that you are in
24 and that's what I would want to see. At one point
25 there was some -- there was a request that we identify

1 what we thought was important and found that to be
2 impossible to do because everybody's got a different
3 opinion about what that would be.

4 So from the perspective of what this panel
5 was established to do, it's to provide a focus on where
6 you think we should be putting our efforts in these
7 kinds of pilot projects, like -- okay, we would like to
8 get records of the Office of Secretary of Defense
9 because everything flows from there.

10 And on the other side of the coin is to tell
11 me that I don't care what happened at the Bureau of
12 Aeronautics in 1944.

13 MR. LEFFLER: So would you be willing to sort
14 of share with us -- not today -- and say, well, you're
15 doing this pilot project right now; right? You've
16 engaged in this. Tell us what you're thinking for your
17 next pilot project and tell us what the categories of
18 records are that you're not doing and then ask us for
19 our advice as to whether we think you're on to the
20 right pilot projects.

21 MR. BROWN: I'll say again, as I previously
22 did, I invite you, all of you and any of you, to come
23 over to the Navy Yard to sit and talk with us for as
24 long as you want and if you would like to sit at one of
25 our periodic meetings of Navy security and records

1 managers where we are now discussing how we're going to
2 approach this next, you're very welcome to do that.

3 DR. GOLDBERG: Will you be receptive to
4 recommendations from this panel to undertake a specific
5 pilot project relating to specific records?

6 MR. BROWN: You're certainly welcome to are
7 view --

8 MR. LEFFLER: A suggestion. Let the Army do
9 it. You have, as I understood what you said,
10 identified X number of files that will be exempt;
11 correct? You have already done that?

12 MR. BROWN: Yes.

13 MR. LEFFLER: When do you expect to get to
14 review those files that have been exempted? Do you
15 have a timetable for getting them? And does the
16 timetable begin after the year 2000 and do you then
17 have an enumerated timetable when you will get to each
18 of those files?

19 MR. BROWN: No. No. And we have not -- I
20 have not programmed that out.

21 MR. LEFFLER: But you will let -- all the
22 exempt files -- just answer me yes or no because I just
23 want to know. The exempt files, will you be evaluating
24 any of the exempt files before the year 2000?

25 MR. BROWN: That will come as part of -- yes.

1 Because that is part of the process of reviewing the
2 record groups and file series that we're going to be
3 looking at. Those things will come up as a normal part
4 of that review process, but not targeted, if I
5 understand the focus of your question, that we'll take
6 these and bracket them, set them aside and then go back
7 to them.

8 DR. GOLDBERG: We are going to have to break
9 for lunch soon, but before we do, Mike Kurtz of the
10 National Archives has asked to say a few words about my
11 remarks about the Archives and its accession
12 capability.

13 MR. KURTZ: Thank you very much.

14 I just wanted to kind of bring everybody up
15 to date in a situation Dr. Goldberg described about
16 resources and so forth. It's certainly relevant. But
17 since we have out new building and we're in the process
18 of completing the last seven or eight months of the
19 move, we have been able to accession a great deal of
20 the backlogged material that sat at the Washington
21 National Records Center for many years.

22 So, you know, in an orderly way we continue
23 to accession records and I don't want there to be an
24 impression that we have a great backlog and not able to
25 manage that.

1 I would say this about accessioning. The
2 Executive Order has a provision where it strongly
3 recommends that agencies systematically review their
4 records for declassification before transferring to the
5 National Archives. And next week we're going to begin
6 at the Archives developing guidance and a policy that
7 will give life to that. And so we're going to be in a
8 good bit of communication with the agencies so that we
9 do not let a system develop where we just build up yet
10 another huge backlog.

11 And so we're not going to quite operate the
12 way we did before where we'll just take everything in
13 and where it sits. They're either going to have to be
14 systematically reviewed before we get them or there's
15 going to have to be a date certain or event certain of
16 which those records will be open. Because under the
17 law, once these records are accessioned, they become
18 they become the responsibility of the Archivist. And
19 for continuation of restrictions on records that are
20 more than 30 years old requires the active decision of
21 the Archivist. And that's in the section of the law
22 dealing with the Archivist, the authorities under
23 accessioning and so forth.

24 So there's going to be a good bit of change
25 in what we're doing when it comes to accessioning over

1 the next number of months, and so I'll be giving a talk
2 at the INTEL conference. I'll be the keynote speaker.
3 And there'll be an opportunity to say some more about
4 that. But it's going to mean a change in our working
5 relationship, I think, to achieve the goal of the
6 spirit of the order that we don't after this initial
7 period of time, build up yet another backlog.

8 DR. GOLDBERG: Overall, do have any estimate
9 of how far along you are in accessioning in terms of a
10 date? You say have most DoD records up to 1965 and
11 '67?

12 MR. KURTZ: Well, we've actually accessioned
13 a number of Vietnam -- all the Army Vietnam records,
14 the Army Gulf War records. So there's a way in which
15 we've taken records into the 1980's and '90.

16 DR. GOLDBERG: So it's not an even
17 progression by service?

18 MR. KURTZ: No. No, it's not. It varies
19 from service to service. Each one has a different
20 records schedule and so forth. And I want to be clear
21 about the accession in general.

22 AUDIENCE PARTICIPANT: Can I just comment on
23 that?

24 As part of the move, we've brought into the
25 Archives everything that was scheduled for transfer

1 through 1995 with the exception of some Air Force
2 records. So, we've caught up for everything that was
3 scheduled to come into the Archives, except for those
4 Air Force records that we ran out of time.

5 DR. CLARKE: What's the technical term
6 "scheduled" mean? Does that mean were offered to you?

7 AUDIENCE PARTICIPANT: It means that an
8 appraisal was done, the records were determined to be
9 permanently valuable and a date was set for when they
10 should be transferred to the National Archives.

11 MR. KURTZ: All agencies are supposed to
12 schedule their records whether they're temporary or
13 permanent for disposition. And so there are record
14 schedules for all agencies and major components of
15 agencies.

16 DR. GOLDBERG: All right. We've going to stop
17 for lunch now.

18 MS. KLOSS: I'm sorry. I know you all are
19 getting hungry and I'm sure the food is on the way, but
20 we do have another commitment with our contingency from
21 Air Force. So, two reasons to have Air Force before
22 lunch. One, stimulating conversation during the lunch
23 period; two, to allow them to make their afternoon
24 commitments. And actually, a third reason. The food
25 is not here.

1 DR. GOLDBERG: What is their afternoon
2 commitment?

3 MS. KLOSS: Pardon?

4 DR. GOLDBERG: What is their afternoon
5 commitment.

6 MR. WHITE: I'll tell you in my briefing.

7 MS. KLOSS: I'm sorry, sir.

8 DR. GOLDBERG: All right. If we're going to
9 do that, we'll take a five minute break until then.

10 (Whereupon, a brief recess was taken.)

11 DR. GOLDBERG: I think you all have a notion
12 now of where policy really comes from. It comes from
13 security policy, not from the Stark office.

14 We'll now have the Air Force briefing. Mr.
15 Gene White.

16 MR. WHITE: Thank you.

17 I have an announcement to make. As of
18 yesterday, I can tell you that the Air Force has
19 declassified all of its pre-1947 World War II records.

20 DR. GOLDBERG: Without exception?

21 MR. WHITE: Both of them.

22 (Laughter.)

23 If I do nothing else this morning -- and by
24 the way, I assume I'll have a hard time keeping your
25 attention because I see lunch has arrived. I'd like to

1 introduce our team and I'm going to underline the word
2 team because the Air Force has tried to tackle this
3 problem a little differently from our sister services.
4 Maybe we're stretching the margins a little bit here,
5 but it's a team effort. First and foremost, it's a team
6 effort.

7 So let me just introduce very quickly Colonel
8 Linda Smith who heads up our reserve declassification
9 activity down at Maxwell. Next to her is Archie
10 Lafonte of the historical research activity. Colonel
11 Select, Mike Towns, who's going to head up our Gulf War
12 records activity. The gentleman in front of me is
13 Lieutenant Colonel Rick DeJesus, who's our
14 representative on the Security Policy Board staff.
15 Next to him is Mel Basey who works in classification-
16 declassification policy.

17 This is the problem as we see it and this is
18 the problem that we've all been discussing this
19 morning. Conservative estimate from Steve Garfinkle is
20 that there are approximately two billion 25-year old
21 permanently valuable historical records within the
22 government. And as you can see, the Navy estimate is
23 500 million pages. The Army estimate -- you said in
24 your briefing 270 million. Earlier, it was 300 million
25 approximately. And our estimate is 176 million pages.

1 So that kind of puts the problem in perspective.

2 The Department of Defense has almost half of
3 this material within the entire government. It's a
4 daunting task.

5 We started early for several reasons. We had
6 a vehicle in place for reviewing massive amounts of
7 material and bulk declassifying information starting
8 back in 1989 with the Southeast Asia records
9 declassification effort and we have declassified tons
10 of material during that effort.

11 What was the page count? Anybody remember
12 what it was?

13 AUDIENCE PARTICIPANT: Six million.

14 MR. WHITE: Six million pages just in that
15 effort alone. So we had some history and we had a
16 methodology established for getting teams activated.
17 The one twist was we decided to get reservists together
18 to form those teams because most of them had served in
19 Southeast Asia and knew the terminology, could do the
20 reviews, could index and triage and do some risk
21 management in the process.

22 We also started earlier in changing Air Force
23 policy and approach to classification and
24 declassification so that we would be ready to go when
25 the Executive Order became effective.

1 We have short policy directives in the Air
2 Force which have broad general policy statements. We
3 have one on information security and we've revised that
4 to emphasize declassification as a key function of our
5 area, of our field.

6 The meat of our procedures is in the Air
7 Force instructions. We've got one that's ready to go to
8 the printers or will soon be ready to go to the
9 printers on information security, which implements the
10 Executive Order and the OMB directive. And we're
11 waiting for the DoD 5200.1R, which is going to have
12 additional guidance. But in the meantime, we thought
13 it was best to get the guidance out to the field and to
14 get our commanders developing the process for reviewing
15 material within their commands.

16 So when the Executive Order became effective
17 in October, we were ready to go with a policy letter
18 signed out by our administrative assistant, the
19 Secretary of the Air Force, telling the CINCs, the
20 commanders out there, to get started. And we included
21 in that letter all of the guidance that had been
22 published to date.

23 We were also to go on with the
24 declassification plans. As a matter of fact, we
25 submitted our declassification plan four days before

1 the deadline. We submitted ours on the 11th of
2 October. I'm told that it's been approved, along with
3 Navy's, but we're still waiting on the approval letter
4 from ISIS. I think it probably will be very much like
5 Navy's letter.

6 We also have a high level team consisting of
7 all of the security functionals on the Air staff that
8 meets weekly. If we have security issues across
9 functional lines, we refer those issues to this team.
10 It cuts a lot of red tape and the coordination is done
11 fairly quickly. That's the Security Advisory Group.
12 That's that second symbol under 85-35-401. So we were
13 able to get that energized fairly quickly.

14 Early on we were looking at a number of
15 things. We tasked our product centers and our commands
16 that build systems and classify information to get on a
17 two-year clock for revising all of their security
18 classification guides and those security classification
19 guides now contain detailed declassification guidance
20 looking at the future.

21 Ultimately, the answer to the
22 declassification issue that we're facing now is good
23 classification for the future, so we need to pay
24 attention to that. We have been trying to pay some
25 attention to it, but not as much as we should. But

1 we're going to focus combined guidance, classification
2 guides and declassification guides, in the same
3 document.

4 As I'll mention later, we're going to try to
5 get those on a database or a key word system in CD-ROM,
6 so our classifiers can jump on the CD-ROM and key word
7 search the issues that they're working and get an
8 answer.

9 We're going to publish a handbook on
10 classification and declassification and we're working
11 on some self-paced, computer-based training modules so
12 that folks out in the field where a lot of these
13 records are, can sit down and work through the
14 procedures and what's expected of them more critically.

15 Now, for our plan. I have to tell you that
16 in a recent article of Steven Aftergood's publication,
17 we were maligned a little bit because he missed our
18 point. We said that the 176 million pages of material
19 out there we 25 years old.

20 By the way, we got that estimate early on
21 from our commands. We went to our commands. We asked
22 them to do an estimate based on estimating guidance
23 that was provide by the Information Security Oversight
24 Office, and that's the figure that they all came back
25 with. Not jut the repositories, not just the

1 libraries, but also the materials out there in the
2 commands.

3 We said instead of trying to figure out what
4 file series this information would fall within, we were
5 going to say -- first of all, our interpretation of a
6 Presidential exemption is a unique one-of-a-kind piece
7 of specific information that nobody's seen before. In
8 our view, if we find information that absolutely must
9 be exempted, most of it, 99 percent of it will fall
10 within the exemptions that have already been specified
11 in the nine exemption categories of the Executive
12 Order. The Secretary of the Air Force has the
13 authority to approve and sign-off on those exemptions,
14 if we find them. But we're going to identify those
15 exemptions as we go.

16 We're opening up. We're not doing blanket
17 exemptions. We're opening up all 176 million pages for
18 review and we're going to try to look at all 176
19 million pages with the idea of getting as much of it
20 out as we can.

21 We're going to go after the most difficult
22 material first. We're going to go after the high value
23 stuff that's of interest to you folks, to historians,
24 and the American people first, for two reasons. One is
25 because we can show some progress if we do that, as you

1 were mentioning earlier. Secondly, it gives us time.

2 Now, for instance, if we find documents or
3 pieces of information that have lots of equity,
4 restricted data, for instance, human intelligence
5 sources and method is another, we'll be able to refer
6 those and get the answers back and we'll have the full
7 four years. So we're going after the most difficult
8 material first. And in fact, some of our early reviews
9 under these guidelines were of top secret material in
10 the large records repositories and we have declassified
11 a big chunk of that. And I'll talk a little bit more
12 about that later.

13 Our goal is 20 percent reviewed per year, not
14 necessarily 15 percent declassified. We think we may
15 reach a higher percentage per year once this process
16 gets going full steam. And we're focusing, as someone
17 mentioned earlier, on the training aspect because we
18 opted to go with a decentralized approach and we opted
19 to have a large team work this, consisting of reviewers
20 at the command level, as well as centralized review
21 efforts going on out of Maxwell and here in Washington.

22 So, training is key. We've got some training
23 tools that are already available. We're developing
24 other training tools. Most of these folks and at
25 Maxwell are developing a wonderful tool book which has

1 a methodology. It has a triage approach to reviewing
2 documents, large quantities of documents in
3 categories -- and it's a tremendous tool that people
4 can use and get familiar with fairly quickly and start
5 reviewing documents.

6 Is that available? Do you know about that?

7 So it's available now.

8 Now, we also in our plan establish a method.
9 We're requiring the subordinate commands, the major
10 commands and their subordinate elements, along with the
11 declassification centers, to report quarterly on their
12 activities.

13 You have a copy of this chart in what's in
14 front of you, but for those of you who don't, the
15 yellow represents those documents that were reviewed
16 and reported. The green column represents those that
17 will probably be exempted. The red column represents
18 those documents that we declassified. Just flat
19 declassified. And you can see we're already up in the
20 millions and we're only two-quarters into the effort.
21 We're way up into the millions.

22 And considering the fact that it takes time
23 and it takes a lot of communication and a lot of effort
24 and coordination to get an organization like a major
25 command underway and rolling on an effort like this,

1 this is pretty good. And we expect that once we get
2 well underway, those figures are going to skyrocket.

3 I mentioned earlier, we're not asking for
4 resources. One of the strengths of the Air Force
5 program is that we have a network of security managers
6 that go all the way to our small unit level. We have
7 roughly 6,500 information security managers out there,
8 most of whom are part-time, whose job it is to provide
9 security support to local commands. That's a resource
10 that's already there.

11 The policy decision that we made early on was
12 that we were going to take some of the time, which
13 also, of course, is a resource, that they are currently
14 allocating to other security functions and we're going
15 to re-prioritize that time to this effort. That,
16 coupled with the efforts, the tremendous efforts of the
17 classification review teams and the reservists that we
18 were able to bring on specific problems has given us
19 the mechanism for starting the effort.

20 Now, along with the metric that you saw on
21 the level of activity, we're going to be looking at
22 whether or not we reach plateaus and we're also going
23 to be looking at issues that are surfaced by the
24 commands and we're still waiting to see how much work
25 we're going to get coming in the way of referrals from

1 other agencies and activities.

2 But this is our team. And as you can see,
3 it's not just security guys. In fact, our
4 administrative assistant by the way regrets he could be
5 here. He wanted to be here, Mr. Bill Davidson. He's
6 our honcho. He's providing Secretary of the Air Force
7 level support to this entire effort.

8 I mentioned earlier the Security Advisory
9 Group where we can quickly coordinate issues any time
10 we have any problems that our customers may have coming
11 into the Air Force and we can get those out there and
12 get them working.

13 We rely heavily on Air staff for functional
14 expertise, MAJCOM functional expertise, and the unit
15 security managers to bring unit security expertise to
16 get our subject matter reviews.

17 By the way, someone asked do you really have
18 permanently valuable historical documents out there
19 that are still within the units or have they all been
20 accessioned to the Directors' Repositories or the
21 Centers. Well, a good example is the B-52 operations.
22 The defensive doctrine for B-52's is well over 30 years
23 old. There's no question. And it's still
24 operational. But I think it's an historically valuable
25 document.

1 So we have lots of material that's out there
2 in the units that's going to require review, and
3 someone is going to be able to make the determination.

4 I mentioned we have a reserve classification
5 team.

6 Now, we view you folks as second to the
7 American people. You people are our customers, our
8 main customers. That's why you have such a large
9 contingent here from the Air Force and that's why we're
10 listening very intently to your ideas and
11 recommendations. We're taking notes and we're going to
12 take them back with us. And we're not standing up here
13 claiming to have all the answers.

14 The other thing -- and I'll wrap it up. The
15 other thing that we've done is we've initiated a number
16 of parallel actions. I mentioned earlier we're going
17 to work the problem of better initial classification
18 and better initial declassification decisions of
19 information that's been classified. We're going to
20 work that line. We're going to try and cross-index
21 classification decisions so people faced with
22 classifying a document can look on some sort of
23 centralized database and determine whether or not like
24 information has been classified and what decisions have
25 already been made.

1 We'd like to get the Army and the Navy
2 involved in this project as well, so that we can have
3 some cross-referencing if we have it on a joint system.

4 We're working on a declassification database.

5 Now, what does IRIS stand for, Ms. Smith, the
6 IRIS system? Are you all familiar with the IRIS?

7 Okay.

8 We're going to try to use the IRIS system to
9 enter all of our declassification decisions. We've
10 been working on it. Matter of fact, Ms. Smith just
11 hosted a meeting down at Maxwell with a lot of people
12 to work just that issue.

13 When we do that, hopefully we'll be able to
14 eliminate a lot of duplication because right now one of
15 the concerns is there's duplication between the
16 commands and the repositories and the centers out
17 there. I think whoever gets there first needs to be
18 able to enter their action in this database so that the
19 next person to come along looking at similar material
20 can reference -- can go right to it and say, oh, this
21 has been done. I don't have to do it. Either destroy
22 it or send it back.

23 So that's an issue that we're working now.
24 But we're trying to get as much of this automated as
25 possible, not only for now, for the hearing now, but as

1 someone mentioned, for posterity.

2 Bulk declassification is something we've had
3 some experience with and we will both declassifying
4 material, which is another argument for going after the
5 high risk stuff first because a little further down the
6 road when we're in the moderate risk and the low risk
7 areas, we'll be a little bit further along. We can
8 make bulk declassification decisions, I think.

9 We're going to have a WEB site. That's
10 pretty soon, am I correct? So that folks who don't
11 have access to the IRIS system right now can jump on
12 the WEB, can find out what's available in terms of
13 training, can find out who to contact if they have a
14 problem and those sort of things.

15 How far along are we on that?

16 AUDIENCE PARTICIPANT: We can let the
17 committee know. We're looking to have the WEB site up
18 and running by the end of June.

19 MR. WHITE: Okay. When we get that address,
20 we'll get it to you so that you can put it on your
21 bookmark and go to it and see what we're doing.

22 And finally, most importantly, someone
23 mentioned earlier that none of this is any good if we
24 don't have an active awareness and training campaign
25 and if it's not focused on senior leadership as well as

1 the folks who are actually going to do the work.

2 I don't know if you've seen our video but we
3 put together a quality video production, 17 minutes
4 long. The bottom line is, "Get started. Do it." And
5 it's kind of neat. If you haven't seen it, I think we
6 can get that available to you, as well. It's sort of a
7 60 Minute type thing. You know, problem introduced and
8 then a solution. And then it runs pretty fast.

9 We're using that to kind of introduce senior
10 management to what we're trying to do.

11 I'm getting reports in from some of our major
12 commands now. They've got four star level interest in
13 making sure that we do this. And we're also working on
14 revising and modifying training the training. We've
15 gotten as far as the classification authorities to get
16 them to make smart declassification decisions, as well.

17 That's a very quick rundown of what usually
18 is a 35 or 40 minute presentation. I'd like to finish
19 the way I started. We're behind this effort because we
20 think that it's positive. We think it's positive
21 because if we can get rid of stuff, we can get stuff
22 out to the public, we can tell our story, which is a
23 good story, number one.

24 Number two, if we get rid of classified
25 material that no longer requires protection, we can

1 reallocate the resources that we have left over to
2 better protect the stuff that truly critical, truly
3 sensitive.

4 We're going to screw up. We know there are
5 going to be screw-ups. We know that information is
6 going to be released that probably shouldn't be
7 released. I sort of wanted to comment on your -- you
8 know, hide an important weapon in the forest. Because
9 there's the first rule of chaos theory that says that
10 they will also go directly to the thing you're trying
11 to hide.

12 (Laughter.)

13 So, that's my presentation. Can we answer
14 any questions? I'm going to refer technical issues to
15 our team.

16 By the way, the reason we have a commitment
17 this afternoon is because these folks form a team, a
18 cross-functional team. And we're looking at these
19 issues. As a matter of fact, Mr. Sheldon Wilberg who
20 usually attends those will be here with you folks. But
21 we're working these issues real time now, so --

22 DR. GOLDBERG: Do they have to leave early?
23 Is that what you're saying?

24 MR. WHITE: Yes.

25 DR. GOLDBERG: When?

1 MR. WHITE: When's your meeting scheduled?

2 AUDIENCE PARTICIPANT: 4:00.

3 DR. GOLDBERG: What? Catch a plane?

4 AUDIENCE PARTICIPANT: At 1:00.

5 MR. WHITE: I think Dr. Goldberg is
6 suggesting, what could possibly be more important than
7 this meeting right now.

8 (Laughter.)

9 GEN. ARMSTRONG: How are you handling the SAC
10 and the NORAD records.

11 MR. WHITE: Joint staff. In other words, --

12 GEN. ARMSTRONG: Wait a minute. Air Force
13 has executive agency for those two particular unified
14 commands which means you have record responsibility.

15 MR. WHITE: And a lot of that's going to be
16 referred. Referred and coordinated with the Joint
17 Staff. Air Force is not going to act unilaterally on
18 the SAC.

19 GEN. ARMSTRONG: Okay. So you're basically --
20 have you started that process yet? Have you talked to
21 anybody in the Joint Staff and told them you're going
22 to do that?

23 MR. WHITE: Have we?

24 AUDIENCE PARTICIPANT: [Off mike.]

25 MR. WHITE: Don't think so.

1 GEN. ARMSTRONG: They have one declassifier.
2 One.

3 MR. WHITE: Is that right?

4 GEN. ARMSTRONG: Yes. And, you know --

5 AUDIENCE PARTICIPANT: Archie's got some
6 comments on that.

7 AUDIENCE PARTICIPANT: We're working right
8 now with the OASD, particularly on the SYOP question
9 and we will be working -- we have started some
10 coordination with JCS. The SAC histories and the NORAD
11 histories fall into a common category of Air Force
12 records that involve so many different parties.

13 NORAD involves Canada. It involves foreign
14 countries. And all of these issues we are addressing
15 either in terms of coordination or in terms of
16 guidance. This type of process does not happen
17 overnight, as all of you in the room are probably aware
18 of.

19 But, yes, we're addressing it. As a matter
20 of fact, as I speak the SAC histories from 1950 through
21 1975 are currently being reviewed and all these issues
22 are being addressed through both the Air Force and the
23 OASD, which is also involved in the process.

24 GEN. ARMSTRONG: That's fine for the
25 histories but what about the bulk of the SAC records,

1 which as I understand it, are held at Maxwell.

2 AUDIENCE PARTICIPANT: Excuse me. We are
3 talking about the records at Maxwell. The records at
4 the Air Force Historical Research Agency at Maxwell
5 consist primarily of SAC organizational and unit
6 histories. There's a misunderstanding -- I've gotten a
7 few FOIA's in that regard -- that we have this massive
8 unprocessed SAC historical files down at Maxwell.

9 Basically, that, we don't have. We're
10 talking about SAC histories, unit histories, numbered
11 Air Force histories, squadron and wing histories
12 primarily, some other type of historical documents,
13 primarily.

14 GEN. ARMSTRONG: What about the rest of the
15 SAC records?

16 MR. HEIMDAHL: Much of the oversight records
17 are in the Records Center at St. Louis. I assume what
18 we will do once we have the institutional record to
19 look at the SAC histories, we can then apply that same
20 thing to the SAC records.

21 MR. WHITE: Now, someone suggested earlier
22 that we might want to look at a pilot program and that
23 would be a tough one to bite off but you're probably
24 right. You probably do need to get started. That
25 might be a good candidate for a pilot program.

1 AUDIENCE PARTICIPANT: One thing, though,
2 about a pilot program is that our pilot program was the
3 whole Southeast Asia project, records from '61 to '75.
4 And after a 3-1/2 year review of those records of Air
5 Force information, we were able to declassify 98
6 percent of it. The 2 percent was that kind of
7 information that had to be referred to CIA or --

8 MR. WHITE: SAC is going to be a little more
9 difficult, but it's a very good question. It's got
10 everything from operational doctrine all the way to
11 targeting. I don't know if the decision has been made
12 on whether or not those targets, for instance, and the
13 SYOP itself, which is read annually, whether that's of
14 historical value or not because of the specious nature
15 of the targeting information.

16 MR. LEFFLER: It's historically valuable.

17 (Laughter.)

18 DR. GOLDBERG: Let me ask a key question.
19 Does the Air Force team expect to have lunch before
20 going on to the next meeting?

21 AUDIENCE PARTICIPANT: Well, yes, sir. We
22 didn't order lunch but we could certainly walk around.

23 MR. WHITE: Would you like for us to continue
24 after lunch?

25 DR. GOLDBERG: They have another meeting at

1 1:00, --

2 MR. WHITE: They might be able to slip it for
3 a little while, if you'd like for us to be --

4 AUDIENCE PARTICIPANT: Yes, sir. We can
5 delay it.

6 DR. GOLDBERG: Well, no. But you haven't had
7 lunch yet, if you'd like to have it.

8 Well, I think we can delay. This is a cold
9 lunch, I take it, isn't it? I guess we can go on a
10 little while.

11 MR. ULMAS: My name is Michael Ulmas, a
12 civilian researcher. Air Force intelligence records
13 have disappeared and a lot of records -- yes, they
14 have. And a lot of records were transferred from Air
15 Force intelligence to NSA. Would you be able to locate
16 and reacquire the records transferred to NSA, the
17 intelligence records from Vietnam era, I'm referring
18 to.

19 MR. WHITE: How are we handling NSA?

20 Let me preface this. There's unique
21 relationship there. If you're researching it, the Air
22 Force is the only military department that issues NSA
23 accounts, COMSEC accounts, for instance, and does the
24 security type things for the NSA's national mission.
25 Can't talk too much more about it right now, but there

1 is an issue there and I believe that the NSA will have
2 the final say on what's going to happen to those
3 records because everything the Air Force did was in
4 support of that organization.

5 MR. ULMAS: Okay. And other air
6 intelligence, such as, in particular, the 7607 cam
7 televisions.

8 MR. WHITE: We're looking at those records.

9 MR. ULMAS: You are looking at them?

10 MR. WHITE: Yes.

11 MR. ULMAS: Okay.

12 MR. WHITE: And there's another privacy creed
13 that we haven't talked about yet and we're working on a
14 way to do it in an efficient manner, but once you've
15 made a decision to declassify, that's half the thing.
16 The other half is something you mentioned earlier. You
17 need to show where those records are and how you can
18 get access to them, and those can be released to the
19 public, we need to start a mechanism for release to the
20 public.

21 DR. GOLDBERG: Marc was next.

22 MR. TRACHTENBERG: I have to say I was real
23 impressed with your presentation and especially your
24 comment that you're not doing blanket exemptions.
25 Because one of the things that disturbed some of us in

1 the Air Force plan that we were given, they were given
2 blanket exemptions for entire records groups.

3 So I take it that what that was was just to
4 kind of give yourself protection in terms of the
5 Executive Order, but you're doing really the right
6 thing because you're going through everything.

7 But the rest of the question I have is, if
8 you're going to be going through everything anyway,
9 what do you need from us in the way of input. It's not
10 like we would say do this rather than do that.

11 MR. WHITE: We need you to help us prioritize
12 that information that's already in the high risk areas.
13 You need to tell us what's important to you so that we
14 can go after that information first.

15 MR. LEFFLER: Well, have you begun to look at
16 the records of the Secretary of the Air Force?

17 MR. WHITE: Have we?

18 AUDIENCE PARTICIPANT: Yes, sir. The one
19 thing that you did require from us in your -- one
20 gentleman sent out the kind of serious work. We
21 started with top secret and we have reviewed the top
22 secret. There were a lot of secret files in there that
23 we've not gotten to yet, but out of the list that you
24 did give us, we have reviewed 50 percent of that and
25 we're only into not even the first half of the year.

1 So I feel very confident. It confirmed for
2 us that what we thought was valuable, you also had
3 listed those as the same. So I felt like we had
4 correlated that quite well, although we didn't plan it
5 that way, but we were thankful that it did.

6 MR. TRACHTENBERG: Can I just follow-up with
7 this? How can we help you prioritize? You are the
8 professionals. You're the ones with the hands-on
9 experience. You've seen all of that stuff. We're, you
10 know, basically coming at this from the outside.

11 If you had specific questions having to do
12 with specific problems that emerge in the course of
13 your work that you think that our particular kind of
14 expertise can bear on, --

15 MR. WHITE: We do. We do.

16 AUDIENCE PARTICIPANT: Well, sir, I think of
17 your interest. And I also think that you're the
18 public. You have access, supporting the fact that we
19 are trying to meet these requirements under the EO.
20 Four years ago when I got into declassification, I
21 didn't even think I knew how to spell the word. I had
22 been in intelligence for years and never had anything
23 on declassification, so it is a very young field. It's
24 a very young discipline. But I think the public, the
25 access you have for the public can help tell what we

1 are doing. I think that would be very helpful.

2 MR. WHITE: Right. You gentlemen, you
3 channel work, you monitor work that's being done.
4 Sheldon helps us tremendously in helping us sort the
5 areas that we need to focus on, so there are ways. And
6 we do consider you our primary customers.

7 DR. WAMPLER: The declassification database
8 you talked about, which seems to be sort of a
9 precedence database, so they can go out and see where a
10 prior decision is made.

11 Is there room for that to evolve so that a
12 decision taken in 1996 doesn't sort of establish the
13 baseline for a decision taken in the year 1999?

14 MR. WHITE: Yes. And I'd like to refer to
15 Mr. Garfinkle, who kind of snuck in and is seated in
16 the back of the room here.

17 In fact, you have some efforts ongoing now to
18 come up with a government wide declassification system,
19 do you not, Steve?

20 MR. GARFINKLE: Well, that is one of the
21 requirements of the order, that ultimately there be a
22 government wide database.

23 I have to say that what it will ultimately
24 look like is something we don't know now. We are
25 looking at what various agencies are doing and I think

1 ultimately this database is not going to be totally
2 centralized, but rather it's going to be a series of
3 databases at the various agencies with a capability of
4 communicating.

5 DR. WAMPLER: I don't know whether I made my
6 question clear enough, but I got the sense this
7 database was primarily initially for the use of your
8 reviewers so they could get up to speed quickly on
9 decisions that have been made and not have to reinvent
10 the wheel on certain decisions.

11 MR. WHITE: It's both. For reviewers, yes,
12 and the reviewers will use it. But ultimately the plan
13 is for researchers to be able to access it and
14 determine --

15 DR. WAMPLER: Yes. And my concern was that a
16 decision that's made on the basis of sensitivities in
17 one year doesn't establish a set decision down the
18 road.

19 MR. WHITE: You're absolutely right. Yes.

20 DR. WAMPLER: So it can be.

21 MR. WHITE: And it needs to be a continuous
22 effort. A comment was made earlier about revisiting
23 information that's exempted. We're going to try to
24 establish dates for ultimate declassification if we
25 can. If we can't, we're going to go back. We need to

1 get past this initial five years first to make sure
2 that we give everything a good look. And then the
3 information that remains, the delta, we're going to
4 take a look at again.

5 Plus, remember, there's an ongoing effort now
6 that's going to be continuous with information that's
7 becoming 25 years old.

8 DR. WAMPLER: Well, we're tackling the most
9 difficult material first, but within that time frame,
10 are you taking a strictly chronological approach? I
11 mean, how are you breaking this down in terms of how
12 you pull things over from the National Records Center
13 somewhere else?

14 What's your process and what's your schedule?

15 AUDIENCE PARTICIPANT: We're doing a
16 combination, actually. Pretty much going through in
17 combination.

18 No, we have not done the review here at NARA.
19 We have not started that. We've been working at
20 Suitland and, of course, supporting, the Historical
21 Research Agency review. But we are doing a combination
22 of low risk review, medium risk and high risk.

23 There are certain series of boxes that we go
24 into that are so low risk that we will not review them.
25 Others, we will look at maybe a random sampling. So

1 you have a schematic from very high to very low,
2 depending on your experience and depending upon the
3 guides that you have. It could be one or a combination
4 of those methods.

5 DR. WAMPLER: Is that schematic based on
6 discrete retired records?

7 AUDIENCE PARTICIPANT: It's based on the
8 record database that we have from NARA and also from
9 Suitland, plus -- Archie can give you details about how
10 their particular system, which is already inventoried
11 document by document. One of the advantages of what
12 we're doing is not just declassification but it's
13 building that database, and that's critical because we
14 don't have that database.

15 MR. WHITE: Yes. We don't have line items on
16 documents. Some agencies do. Archie does. But he's
17 the exception.

18 DR. WAMPLER: But you do have like 135's for
19 different retired records and it makes more sense, it
20 seems to me, just logistically in using your resources
21 to bring a whole record accession over and go through
22 it. And there will be a whole mix of high, low and
23 medium category materials.

24 AUDIENCE PARTICIPANT: If I may make a
25 comment about the prioritizing. At the Historical

1 Research Agency, we have item level description of our
2 records, which are primarily organizational and unit
3 histories. So we have an advantage over the National
4 Archives, for example, where we don't deal with files
5 series. We deal with individual documents.

6 And what we have done is we have let our
7 customers, who are researchers that come to the agency
8 who sent in a request for review or FOIAs tell us what
9 record types and what organizations, what MAJCOMs or
10 what have you are the most important based on the
11 magnitude of the requests.

12 And we have already started that. We've been
13 doing systematic review since October of last year.
14 Actually, we've been doing a systematic review since
15 the mid '70s, to be accurate, at the Historical
16 Research Agency.

17 So we have reviewed a large volume of our old
18 material already and what we're doing is, as we notice
19 what types of requests are coming in and what do they
20 primarily deal with, we target those MAJCOMs or those
21 units.

22 For example, we are doing all of the Air
23 Force operational wing histories because at our agency,
24 those are the most popular single type history that we
25 have. So we're starting with the first wing and we're

1 going all the way to the 90099th wing, if such a thing
2 exists. And we're doing a systematic review of all of
3 the histories and we're identifying all of the issues.
4 And anything that we've reviewed, we will then put on
5 our database.

6 AUDIENCE PARTICIPANT: One thing that Mr.
7 White now has done in the Air Force, and I think the
8 other services, too, is that this is as much an
9 information management problem as it is a security
10 problem. And we, this team that we're meeting with has
11 the information management people there and we're
12 trying to grapple with the problems of not having 135's
13 in every box, how those are organized and so forth, to
14 maybe -- and we have a full time SCM here, an
15 information manager on board now working just
16 declassification, and to hope to prevent some of the
17 problems in the future.

18 DR. WAMPLER: But in terms of how you review
19 it and whether it gets to the end user at some point,
20 you'll have to be able to hand off retired accession to
21 the Archives. So if you take a topical approach using
22 your document item listing, there's a tradeoff there
23 between going through the material in that manner and
24 going through it in the manner in which you finally
25 have a total accession that you've finished and you're

1 ready to hand off.

2 MR. WHITE: That's a good point. One of the
3 things we're going to do in the future after we get
4 through this frenetic level of activity that we're in
5 right now, we're going to establish as a policy that we
6 will not accession records to the National Archives
7 until they've been declassified. So we're going to
8 accession only declassified records to the National
9 Archives.

10 That will make your life a lot easier.

11 DR. GOLDBERG: Let me make one observation
12 before we stop for lunch. Many agencies and some of
13 the services had some kind of declassification program
14 underway before this Executive Order came into effect,
15 which means that most of them had already reviewed and
16 declassified a substantial body of document which
17 presumably can count against their numbers for the
18 first, second or third years, whatever. If one looks
19 at it that way, it's possible that some of them have
20 already done 15 or 30 percent or whatever, and that it
21 would be possible to then undertake pilot projects
22 looking at very high level materials.

23 We might want to discuss that later on. We
24 won't do it now. It's something I do think has to be
25 given some thought because it does pertain directly to

1 this matter of numbers and it seems to me they skew the
2 whole process.

3 Let's stop now for lunch.

4 (Whereupon, the luncheon recess was taken at
5 12:20 p.m.)

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1 AFTERNOON SESSION

2 [1:00 p.m.]

3 DR. GOLDBERG: We are going to have the last
4 briefing of the day here, but I think not the least by
5 any means. Colonel Dietrich is heading up a project
6 which is very specific and limited in its scope. I
7 think he has a great deal to offer us by way of
8 information and insight into the problems of doing
9 declassification.

10 Colonel Dietrich.

11 COL. DIETRICH: Thank you, sir.

12 I'm Lieutenant Colonel Steve Dietrich. I
13 work at the U. S. Army Center of Military History and
14 I'm the Director of the U.S. Army Gulf War
15 Declassification Project. I tend to be outspoken, so
16 I'd like to make it clear that the views I express
17 today are my own and not to be construed as views of
18 the U.S. Army, DoD or the government.

19 MS. KLOSS: We captured that on the record.
20 Thank you.

21 COL. DIETRICH: On 22 March 1995, then Deputy
22 Secretary of Defense Dr. John White signed a memorandum
23 based on a meeting he had just come from with the
24 President and that memorandum I consider to be the
25 charter for the declassification of Gulf War records.

1 The primary focus in that declassification effort was
2 to locate and declassify those records from the Gulf
3 War which could help shed light on Persian Gulf War
4 veterans' illnesses.

5 The memorandum created what I call a triad
6 where the Director of the Defense Intelligence Agency
7 is responsible for the declassification of the
8 intelligence records; the Assistant Secretary of
9 Defense for Health Affairs is responsible for the
10 declassification of medical records, as well as medical
11 research and investigation.

12 Another mandate created a DoD Persian Gulf
13 War Veterans' Illnesses Health Investigation Team,
14 which I'll probably call the I-Team, and they received
15 the declassified and classified records and used that
16 in their investigation and analysis.

17 And then the third part of the triad is the
18 Army was tasked with coordinative oversight for the
19 declassification of operational records DoD wide. That
20 responsibility passed to the Undersecretary of the
21 Army, the Honorable Joe Reeder. And in May of last
22 year, the Center of Military History, my boss,
23 Brigadier General Mylecastle and I became responsible
24 to Secretary Reeder for the day-to-day operations of
25 the Army's mission.

1 Our mission is to coordinate the DoD wide
2 operational records declassification effort and under
3 our purview we have the Joint Chiefs of Staff, which
4 has completed its mission. We have General
5 Schwartzkoff's old headquarters at U.S. Central Command
6 which is well underway down at Bill Air Force Base.

7 We have the U.S. Air Force, headed by Colonel
8 Lynn Smith, who was here earlier and Lieutenant Colonel
9 Mike Townes, who specifically heads the Gulf War
10 portion of their declassification effort. And we have
11 the sea services, which we are moving into, where my
12 operation is located in Falls Church in Skyline Five so
13 we can get some synergy with the Department of Navy and
14 Marines there.

15 And we've been working very closely with
16 Colonel Mike Monigan and Dr. Dudley in that effort and
17 they have a team on site that meet.

18 Phase I of our operation is to declassify all
19 those operational records which could help shed light
20 on Persian Gulf War veterans' illnesses by December of
21 1996, the end of this calendar year. Mr. Reeder has
22 also tasked us to continue on beyond that to continue
23 declassifying all the operational records from the Gulf
24 War in what I call Phase II operations.

25 We also have to respond expeditiously to

1 requests from the DoD investigation team and all the
2 documents that we have cleared for public release we
3 post through the Defense Technical Information Center
4 onto the Worldwide WEB on a page called GULFLINK.

5 Most of what I'm going to talk about today is
6 exclusive to the Army's part of this mission, the
7 Army's declassification effort. I'm prepared to
8 address what the other services are doing and, of
9 course, they have representatives here who can go into
10 further detail, if necessary.

11 Under my control at Skyline Five I have 12
12 military, 23 GS civilian employees, anywhere from 15 to
13 35 full-time contractors, for a total of anywhere from
14 50 to about 70 people working just on the Army's part
15 of this mission. Out of that, I have 15 full-time
16 classifiers.

17 We have decided that we would use an
18 automated approach to our mission. And why automation?
19 We have an estimated 10 million pages of Army documents
20 from the Gulf War. You stack them up and they're twice
21 as tall as the Sears Tower. I'll go into the 20 miles
22 of records that was discussed earlier today.

23 Another reason for automation is the mission
24 to put the information on the Worldwide WEB, which
25 requires that the documents be digitized. And we also

1 thought that the only way we could get through all
2 these documents and search them for the potential
3 health related documents was to scan them and let the
4 computer do an automated search for those health
5 related documents so that we could meet our time line.

6 I'll walk you through this. It's not as
7 painful as it may look.

8 This is our automated system. As far as I
9 can tell, it's the only one of its kind in the world.
10 It's the only system that we've found that is a fully
11 integrated system. It can take a piece of paper, scan
12 it, turn it into an image, take that image if it's
13 machine generated and convert it into searchable text,
14 put it into a digitized archive, search it and then
15 send it through a workflow process to a
16 declassification team that can then review and
17 declassify that document on computer and then release
18 that on the Worldwide WEB.

19 The only fully integrated system with all
20 those capabilities that we've found. We've had visits
21 from other government agencies to see our system and
22 its capabilities, to see what they can learn from it
23 and the applications for their own requirements for
24 Executive Order 12958.

25 Part of our challenge was to locate and

1 gather the Army's records which are scattered to the
2 four winds. I have an article in the current issue of
3 Military Review that talks about historians in the
4 information age. And in one of my footnotes, I made a
5 comment that's along the lines of the feeling is
6 widespread that the modern Army recordkeeping system is
7 an abject failure. That was part of our challenge.
8 Fine the records and get them to Skyline.

9 When records come in, we have a customized
10 automated system where we immediately begin the
11 digitization process. We log those records in, the
12 boxes and the folders, into our computer system, and
13 that begins the automated indexing of the documents.
14 We use barcodes and handheld scanners.

15 Then they go on our shelves. And when we are
16 ready later to put that box into the workflow, it then
17 goes to one of our contract teams that does most of the
18 work I'm going to describe now.

19 They take the box and they prepare it for
20 scanning. And during the preparation phase they put a
21 barcoded document separator in front of each folder so
22 when we scan it, the computer knows where one folder
23 begins and ends. And then they put another barcoded
24 sheet like that in the front of each document so again
25 the scanner knows where one document begins and ends.

1 They remove the staples, the paper clips.
2 Some of the message sheets are this long. They have to
3 cut that down to no longer than 11 inches so it will
4 feed through the scanners. They have to be careful
5 they cut it so they don't destroy any text in the
6 process. The oversized documents, they take those and
7 put them on a photocopier and try to reduce those to
8 8-1/2 x 11 so that will feed through the photocopier.

9 So, that's the document prep process.

10 As stuff goes back into boxes -- and
11 sometimes what's one box, because of all the work we
12 have to do to prepare it, becomes a box and a half and
13 two boxes. And that goes back on the shelf, prepared
14 for scanning.

15 When we're ready, that box will then go to
16 the scanners and they feed it through -- I have two
17 Kodak scanners. Each one can scan up to 60 pages a
18 minute. Our throughput goal is 20,000 pages per day
19 through this system.

20 Now, somebody's calculating here. I'm not
21 going to do all 10 million pages this year. I can
22 address that later.

23 And I also have a customized application we
24 use with the scanner to scan in some of the indexing
25 information that we generated when the boxes came in.

1 Once it goes through the scanner, it goes
2 through both the hardware and the software image
3 enhancement feature, two image enhancement steps. And
4 what that does is it takes this paper that we scan and
5 takes the image from that paper and then it cleans it
6 up and makes the best quality image technologically
7 possible. And in most cases, that image in the
8 computer is now of much better quality, much more
9 readable than the original piece of paper that we
10 scanned into the system.

11 And it goes to a visual quality check station
12 where I again have contractors at computer terminals
13 that look at every piece of paper, every image coming
14 across the screen and make sure it's oriented properly.
15 And they make a determination right there whether the
16 document can be what we call OCR'd. That's where it's
17 sent through a software program, optical character
18 recognition or optical character reader. You can do
19 that with only machine generated information.

20 If it's good enough quality machine generated
21 copy, you can send it through the OCR engine and it
22 will convert that image into a searchable text file.
23 Some of our documents are printed in such poor quality,
24 done on a dot matrix printer or maybe it came through a
25 fax machine, maybe it's the 20th generation photocopy

1 of that faded information. optical character
2 recognition program might not be able to decipher it.
3 So that would not be OCR'd. If it's handwriting, it
4 would not be OCR'd. That's a judgment call on the
5 operator's part.

6 Now, some of those images, when the BQC
7 operator looks at them, he may say, you know, this
8 isn't a real good quality image here. I think we could
9 maybe re-scan that and change some of the parameters on
10 our program here to get a little bit better quality
11 image. He'll flag those to go to a rework station.

12 If that batch is flagged to go to rework
13 because of a few pages in there to be re-scanned, the
14 rework operators, again contractors, will go to the
15 box, will use our indexing information that's appended
16 to that document, find the piece of paper on the box,
17 put it on a flat bed scanner and will adjust the
18 parameters on the image part of the system to get the
19 best quality image possible for that piece of paper.

20 Once the rework is done, then it goes to our
21 indexing workstations where again contractors sit
22 there. And if the document has not been flagged to be
23 OCR'd, they will then look at that non-OCRable document
24 and they will skim the document, the image, picking out
25 all the -- we've got about 300 health related key words

1 and we've got those in other applications in an index
2 field in the computer. It's a pick list.

3 So they'll skim the document. If they see
4 any of those key words in the document, they'll just go
5 to the pick list and click on those words and those
6 words automatically appear in the full text searchable
7 index field with that document. So if it's got an OCR
8 text, that's searchable. If it doesn't have an OCR
9 text, we create a searchable text with this index field
10 for those key health related terms.

11 If there's a unit mentioned in there in
12 regards to health related information that doesn't
13 appear in one of the other index field as an
14 organization, a parent organization that this
15 information came from, they'll put that unit ID in
16 there also, again, from a pick list.

17 We get a standardized way to designate the
18 units. The 24th Infantry Division Mechanized, there's
19 probably 15 ways you could abbreviate that, but we use
20 one standard way so we can search one standard way.

21 Once the indexing is completed, it then goes
22 through a stage which I haven't implemented yet, but
23 we're closed, called endorsement. In the endorsement
24 stage, we shrink the image by about 3 percent and stamp
25 a unique number on the bottom of each image so if we

1 ever get any Freedom of Information Act requests or the
2 public sees one of these documents on the NET and they
3 have any questions about it, all I need is that number
4 and I can instantly find it in our digitized archives.

5 I can't wait to get that feature functional.

6 So this process here is where I want to get
7 20,000 pages a day through my system. I'm going to
8 have to go to a second shift with my contract firm,
9 which will start on 1 June to meet that throughput.
10 We're still in the ramp up phase right now.

11 There it goes through an optical character
12 recognition process where all those documents flagged
13 for OCR get OCR'd. Goes through a format bridge which
14 does a little document -- a little information
15 conversation to make that information from my front end
16 processing system here then compatible with the --
17 we're using a software program called EXCALIBER.
18 EXCALIBER becomes my digitized storage and retrieval
19 program and it also is our search program.

20 So those 20,000 pages per day, they go into
21 the EXCALIBER system and every night when we go home or
22 while the second shift is still there until 2:00 in the
23 morning, EXCALIBER will take those 20,000 pages and
24 will automatically search for those 300 key health
25 related terms. When we come back to work the next

1 morning, all the documents that did not get a hit as
2 being health related will have gone into a holding
3 pattern inside the computer for Phase II.

4 All the documents that got a hit from that
5 automated key word search we put out on a digital audio
6 tape and we handcarry that over to the DoD
7 investigation team for their research and analysis.
8 And all those documents that got the automated key word
9 hit also go into our workflow. We're using a WANG
10 program for that.

11 Those are in our workflow to our
12 declassification teams. When it gets to the
13 declassification team, it gets a second screen this
14 time by a human who reads through or skims through each
15 of those pages that got a health related hit from the
16 automated screening and they make a determination as to
17 whether this document is really germane to the Persian
18 Gulf War veterans' illnesses problem or not. So we get
19 documents that get hits on key words that really aren't
20 germane. For example, a nuclear or biological
21 officer's award recommendation might get a hit. The
22 public doesn't need to see that.

23 So they will then suspend all those documents
24 that aren't germane. They go into the holding queue
25 for Phase II. The rest of the documents that are

1 germane then go in continuing workflow and go to the
2 declassifiers. And our goal is to declassify between
3 1,000 to 1,500 pages a day between our 15
4 declassifiers. And I'm finding that our folks are
5 averaging over 100 pages a day with the on-screen
6 classification.

7 We're using another WANG program. We're the
8 first customer in the world to be using WANG's
9 redaction program and we've been working in partnership
10 with WANG and made a lot of enhancements in the
11 redaction program on-screen. We put the exemption
12 codes on there, all of the stuff that we've redacted or
13 removed. That's all done in the computer on screen.

14 About up to 20 percent of our information is
15 stuff that does not fall under our purview or for which
16 we do not have the authority to make the
17 declassification determination. For example, I have no
18 authority to declassify intelligence information. So
19 we're working in partnership with the DIA on referring
20 our information to them if intelligence information
21 appears in our files, for example.

22 All those documents that are cleared for
23 public release then go back through the format bridge,
24 back through the OCR engine so that we get -- and we're
25 doing the declassification all on the image, so that

1 image then goes back through the OCR engine, gets re-
2 OCR'd. So now we have an OCR version of the
3 declassified image.

4 Those that are then cleared go out on a
5 digital audio tape to the de-tech to go on the
6 Worldwide WEB on GULFLINK.

7 Our customers, our number one customer of
8 course, is DoD Health Investigation Team. They get
9 everything that EXCALIBER says might be health related.
10 Classified, unclassified. And then they get all our
11 declassified information also, so that if they get a
12 request from the public, they'll know whether we
13 declassified it or not.

14 Of course, the general public is another top
15 customer on GULFLINK. Another customer in here is the
16 Army's Automated Historical Archives System which is a
17 digitized archives out at Ft. Leavenworth at the Army's
18 Combined Arms Center. They get everything that we
19 produce, and that goes into that permanent digitized
20 archives out there. I am not a permanent digitized
21 archives holding facility. They handle that for us.
22 They can reorganize my collection to their heart's
23 content.

24 And our ultimate objective, and we've begun
25 discussion with NARA on this. Our ultimate objective

1 is that NARA will accept our images, both classified
2 and declassified, as new original records so that we
3 can then access those into NARA. It is not in my
4 mission. I have no resources and no requirement to go
5 back and remark the paper copies to match the
6 declassification that we've done on the screen.

7 GEN. ARMSTRONG: So basically, what you're
8 saying is that if the public wants access to
9 declassified stuff, they've got to go to NARA?

10 COL. DIETRICH: If it's not health related,
11 they'll have to go to NARA or out to the Army's A House
12 out at Leavenworth, sir.

13 MS. BRAGG: But what about what you're
14 putting on the Worldwide WEB?

15 COL. DIETRICH: That's health related.
16 That's accessible to the public.

17 I was assigned this project almost a year
18 ago. In fact, it was a year ago today that I met with
19 my boss to discuss what I'd be doing when I started
20 work on 15 May 1995. We were under extreme pressure to
21 meet our time lines and the pressure was coming as I
22 followed the food chain from the President to the Dep.
23 Sec. Def., to the Undersecretary of the Army, to
24 General Mylecastle and myself. I'm very happy to get
25 on with the mission, get it out there, get all the

1 services cranked up and have everybody making
2 significant process ASAP.

3 Of course, at the same time, if you read the
4 newspaper, every day there's something in the news
5 about Person Gulf War veterans' illnesses. We're under
6 incredible pressure form the public to provide them
7 information to be used in helping get to the bottom of
8 this issue.

9 And the I-Team has been pressuring us to
10 provide information they can use for their research and
11 analysis.

12 Something happened to me along the way. When
13 I took the project, the automation idea was just
14 kicking around in the back of our heads. There were
15 some unrealistic time line projections briefed to the
16 political appointees. I think they thought they'd be
17 in full operations in May and then June and last
18 Summer. You can't figure out your requirements and put
19 a system together quite that quick. Then they thought
20 it might be November of '95 and that didn't pan out and
21 it slipped a little more.

22 So, my time available to do my work has
23 closed in on us from one side because of the time it
24 takes to get the automated system operational. And in
25 August of last year, the Dep. Sec. Def., the new Dep.

1 Sec. Def., then Dr. White, told the American public
2 that we would be done not in May of '97, our initial
3 deadline, but that we'd be done in December of '96.
4 The time line was closing in on us from both
5 directions.

6 We had to go out and fight for resources.
7 This is what we call an unfunded mandate. I was
8 given -- I inherited a budget that was partial of my
9 start-up cost. My marching orders were that I was not
10 allowed to go out and buy myself a Cadillac for this
11 automation system. I had to get something like a Jeep.
12 So, we got a Jeep. It's durable and it's -- I think it
13 will take us on the long haul.

14 Progress report. For the Army, we took 10
15 million pages. We went and screened those pages and we
16 determined out of that screening that we had 1.8
17 million pages that are relevant and need to be scanned
18 and searched this year. Those are primarily the
19 records of those four major Army commands that deployed
20 to the theater of operations. The types of records we
21 screened and determined were not germane to this
22 mission, for example, our Military Traffic Management
23 Command shipping records is part of the several million
24 pages that we're not going to do this year.

25 We estimate that we'll have about 200,000

1 pages in the Army, health related, to review for
2 potential public release. About 360,000 pages DoD wide
3 of operational information.

4 As of 10 May, today, the Army has either
5 scanned or screened out of that 1.8 million pages about
6 650,000 pages. We have sent 55,500 health related pages
7 to the I-Team. DoD wide, we've sent just about 150,000
8 pages to the I-Team. The Army has posted 2,071 pages
9 on GULFLINK. DoD wide, we're at about 8,000 pages on
10 GULFLINK. I've got in the Army probably 3,000-4,000
11 more pages ready to go. Just need a final sanity check
12 by my deputy and myself and we'll release those
13 shortly.

14 I've got about another 10,000 pages that are
15 being held up right now because they have information
16 in them that I have to refer.

17 My issue slide. And I'm going to tie this to
18 EO-12958. And as of today, I have absolutely no
19 requirement to be involved with EO-12958 other than to
20 apply it to what I'm doing. But as I look at what I'm
21 doing and I see how it relates to EO-12958 and I wonder
22 if maybe the Center of Military History might be
23 ultimately tagged with the Executive Order
24 implementation, some of these things come to my mind.

25 Who's in charge? We have stood up this DoD

1 operational records declassification project with
2 little guidance from above as to what the standards are
3 and what the procedures are. We basically had to
4 create this as we go. It's been interesting.

5 My automation system had absolutely no
6 guidance and no standards on anything to do with
7 automation. We went out and did a market survey last
8 Summer, three of us -- four of us, and spent two or
9 three months surveying the market and determined our
10 automated solution.

11 I started work on 15 May. I made the decision
12 on my automated solution on 27 July. I needed extra
13 money. Had a meeting on 28 July in the Pentagon. Got
14 approval for my approach and approval for what I
15 needed. And then I went on 31 July with a request for
16 the additional funds. I didn't get those funds until
17 September, days before the end of the fiscal year. We
18 had just a few days, in some cases hours, to obligate
19 that money before we lost it at the end of the fiscal
20 year. So it was an interesting time.

21 Now, I'm creating a type of database. When
22 you look at the Executive Order, like Mr. Garfinkle
23 pointed out earlier, there is a requirement in the
24 Executive Order for a government wide database of
25 declassified information under the Executive Order.

1 We've been in business declassifying information for
2 several months now creating a digitized database of
3 that declassified information.

4 I have not seen any government wide standards
5 for the declassified database under the new Executive
6 Order and I hope that whatever those standards emerge
7 to be they will be compatible with what the operational
8 records community is doing. It would be a shame to the
9 taxpayer if it's not compatible.

10 And also under the Executive Order there's a
11 requirement for government wide automation standards.
12 If you are going to be involved in an automated or
13 digitized process, especially scanning, you've got to
14 know the collection. Is it paper? It is microfilm?
15 If I had microfilm, I would have bought a standard that
16 does both paper and microfilm, but I'm not using
17 microfilm.

18 What's the quality of the paper? How good is
19 the quality if you're scanning paper? Is it one-sided
20 or two-sided? A box holds so many sheets of paper.
21 Well, what's a page? Is a page a sheet of paper with
22 information on two sides or is it each side of print?
23 And that makes a big difference in your resources as to
24 how many people you need to do all the indexing, et
25 cetera, or how much storage capacity you need in your

1 computer. You've got to know your collection pretty
2 darn well in order to resource and plan to work with
3 it.

4 I believe in something I learned a long time
5 ago in the Army which we call the backward planning
6 process. You look at what's your goal, what's your
7 product, what's the end state. And then you back up
8 from there and you say what's the process we're going
9 to use to accomplish the mission. And then you say
10 what are the resources we need to implement that
11 process to accomplish the mission. Then you go after
12 the resources. And by resources, I'm talking about
13 money, people, furniture, space, transportation,
14 communications, telephones. It's a monumental task to
15 stand up a large team to implement something like this.

16 If you can, get yourselves one automation
17 firm who is responsible for the overall integration of
18 the mission. I've tried to do that. Under the time
19 constraints and the resource constraints we were not
20 able to pull it off, so my on loan warrant officer
21 information management officer and myself became our
22 own integrators and we have four automation firms that
23 work under our direction. We are the ones that have to
24 keep them functioning properly as a well oiled team.

25 I'll back up to here. Requirements analysis.

1 My on-loan automator, myself, a guy I got on loan from
2 the Pentagon who's an automation specialist, automation
3 procurement specialist, and my former deputy, a senior
4 Army classifier, who passed away last August, Tom
5 Johnson, the four of us went out in a market survey,
6 did our own requirements analysis. And some people
7 think you can sit down with a piece of paper at a table
8 and knock one out. No, you can't. You should contract
9 somebody to do your contracts analysis. We did that
10 for the integration of the sea services into our own
11 automation system and spent a considerable amount of
12 money to do that.

13 And my guidance to that automation firm was I
14 want you to come back and tell me what we need to
15 integrate the sea services in our system down to the
16 printer cable screws. So we knew exactly what
17 contracts we had to put in place, what
18 hardware/software we needed, what integration support
19 services we needed. And based on their thorough
20 requirements analysis, we were able to go out and start
21 executing procurements for the sea services.

22 Clear specific deliverables on your
23 contracts. Make sure that you've got a really savvy
24 contract specialty on your team who makes very clear
25 standards of work and gives you very clear and specific

1 deliverables with which you can hold the contractor's
2 feet to the fire. There are a lot of shortcuts that
3 can be taken in the procurement business that cause you
4 pain down the road. Don't do it.

5 Another issue I have here is -- it came up
6 earlier today. It's referrals. Information that we
7 don't have the authority to declassify, and now what do
8 you do. I've got health related information in my
9 files. Some of its been written about in books,
10 perfectly cleared. Yet when you talk to different
11 governmental agencies -- oh, no, you can't talk about
12 the shortage of this vaccine or why it's a shortage or
13 you can't release information on the decision process
14 on who it's given to and that type of thing.

15 So how do you deal with stuff like that?
16 We're in the process of putting together a government
17 wide what we'll call panel of experts. We'll call them
18 together periodically to resolve specific issues like
19 this one I'm just hinting at here. But the referral
20 process can be an absolute show stopper.

21 When you look at the Executive Order
22 implementation, the clock's ticking. The Army's got
23 270 million pages, 2 billion government wide. It's a
24 sobering challenge. The clock is ticking. Six months
25 have already gone out of the five years we have to

1 execute it.

2 AUDIENCE PARTICIPANT: [Off mike.]

3 COL. DIETRICH: Well, no. We have 4-1/2
4 years left.

5 AUDIENCE PARTICIPANT: The 18 April 2000,
6 that's emblazoned in our minds.

7 COL. DIETRICH: Well, the five years started
8 six months from the signing of the Executive Order. I
9 still don't know who's in charge.

10 That concludes my briefing.

11 (Applause.)

12 MR. WEINBERG: Since both your digitized
13 files and the original files are going to self-destruct
14 over the coming years, has any thought been given to
15 COM; that is, computer output microfilm, film as you go
16 along, so that if anybody's interested in the Gulf War
17 in 30 years they'll in fact be able to do work on it
18 when both forms of record have physically evaporated?

19 COL. DIETRICH: I have not. I would hope
20 that the Army's Automated Historical Archive System at
21 Ft. Leavenworth would be thinking along those lines and
22 I'm pretty certain that they are. That would be their
23 requirement, in cooperation, I'd say, with NARA, to
24 ensure that the collection is maintained for posterity.

25 DR. WAMPLER: What's the cost of this?

1 COL. DIETRICH: I've spent about -- I've
2 spent \$2.3 million in FY 95. This is Army alone. I'm
3 budgeted with about \$3.3 million this year. My
4 automation system, a rough estimate on the cost of the
5 hardware/software and integration is about \$2.5
6 million.

7 DR. GOLDBERG: That's included with the
8 numbers you already gave?

9 COL. DIETRICH: Yes, sir.

10 DR. GOLDBERG: What about the other services,
11 the rest of DoD?

12 COL. DIETRICH: Mike, are you prepared to
13 address that?

14 AUDIENCE PARTICIPANT: I couldn't give you an
15 accurate figure. I know our is a lot lower than that
16 but I'm thinking we spent about \$700,000 on the
17 automated. We've got smaller numbers to deal with,
18 too. And part of yours is -- we're not using
19 contractors. We're doing it all with the active duty
20 in all the services. So, including designing the
21 system and scanning.

22 COL. DIETRICH: My \$3.3 million for our plan,
23 -- operating costs includes a civilian payroll, not
24 military.

25 DR. GOLDBERG: Do you have an overall

1 estimate?

2 DR. DUDLEY: I should add that the Navy and
3 Marine Corps together looks like \$2.8 million for this
4 year and we expect less for next year since this is
5 mostly stand up equipment purchase, requirements
6 analysis. The personnel costs, of course, will
7 continue, but that's the smaller. That's probably half
8 of what we're spending.

9 COL. DIETRICH: That's for the sea services?

10 DR. GOLDBERG: Yes.

11 COL. DIETRICH: And SECCOM's cost was
12 negligible. They already had an automation system in
13 place. They'd already digitized their documents. So
14 basically, what they do is they use EXCALIBER, search
15 for health related documents, and then they farm those
16 out to action officers on the staff who have the
17 authority to review and declassify those documents.

18 DR. GOLDBERG: But overall, then, this
19 program that covers perhaps 10 million pages or fewer,
20 probably costs on the order of \$10 million alone
21 overall?

22 COL. DIETRICH: At least. I'd say a \$1 to \$2
23 a page, sir.

24 DR. GOLDBERG: So \$10 [million] to \$20
25 million eventually would be the cost.

1 MS. BRAGG: Of only the Army information
2 because the 10 million is just Army. The 10 million
3 pages is Army.

4 COL. DIETRICH: The 10 million pages is only
5 Army.

6 MS. BRAGG: Is Army. So if you're saying \$1
7 to \$2 a page, that's at least \$10 [million] to \$20
8 million for Army.

9 COL. DIETRICH: Right.

10 MS. BRAGG: Not counting the military
11 personnel costs, which is a cost.

12 COL. DIETRICH: Let me back up. Let me break
13 out the Army costs here.

14 We're funded for about five years. I don't
15 know that it's going to take them five years to get all
16 the documents done. I think we're going to be done
17 soon. \$2.3 million, FY 95; \$3.3 million, FY 96; and
18 about \$3 million thereafter until mission completion.

19 DR. GOLDBERG: That's \$10 million for the
20 Army or \$9 million, approximately for the Army.

21 COL. DIETRICH: Right, sir.

22 DR. GOLDBERG: Plus the rest of DoD?

23 COL. DIETRICH: Right, sir.

24 DR. GOLDBERG: Well, that will be a
25 considerable number of pages that you won't have to

1 cover when you get around to declassifying.

2 MS. BRAGG: No, no. We're not going to try
3 to play any shell games in the Army. The Executive
4 Order covers information that will be 25 years old by
5 the year 2000.

6 DR. GOLDBERG: That's too recent for you.

7 MS. BRAGG: That's right. And that would be
8 unfair to do that.

9 And another point that he made was that when
10 we count pages, we are making the assumption that
11 they're printed on one side. Every time we make a
12 wrong assumption on that, we've doubled the count.

13 COL. DIETRICH: You can put 2,000 to 2,500
14 sheets of paper in an archive box.

15 DR. WAMPLER: Do you have a sense that this
16 automation is a cost saver?

17 COL. DIETRICH: Yes, sir.

18 DR. WAMPLER: Okay. But is it applicable for
19 materials, given the poor quality of some of the papers
20 and the text?

21 COL. DIETRICH: I think it may be applicable
22 to part of the EO implementation but not part of the
23 entire EO implementation.

24 GEN. ARMSTRONG: One point that Steve made.
25 I would think that what the panel, particularly the

1 non-governmental members, ought to think about is this
2 requirement for a government wide system so that you
3 could figure out what's been declassified. There need
4 to be some thing done about it. And to do something
5 about it, you've got to have money.

6 Everything we talk about here is basically an
7 issue of money, but that's something I would think
8 would be very much in the academic community's
9 interest, as well as in the interest of the U.S.
10 Congress to get rolling on it. I don't think it was by
11 any accident that he listed that first among the issues
12 that have come up.

13 People I've talked to in the declassification
14 business, the people who actually do the work, see that
15 as the most important thing in the Executive Order and
16 probably the most useful. But there's been almost no
17 interest expressed here or no discussion of that
18 particular provision. Which surprises me a little bit
19 because I would think that that would be of real
20 interest and use to historians.

21 COL. DIETRICH: What are the data elements or
22 fields that you want on the database? Do you want the
23 whole document or do you just want the title, the date
24 and time group, do you want who it was addressed to and
25 where the file came from? What's the information that

1 you want on the documents in the database? That's the
2 first step.

3 And the next step is what are the automation
4 standards for that automated database. It's a big
5 task.

6 DR. GOLDBERG: The third step is to get all
7 these different agencies and departments to pull
8 together on this and provide the funds.

9 No. That's the first stage.

10 AUDIENCE PARTICIPANT: Just a question.
11 There are no electronic records pertinent to this
12 project?

13 COL. DIETRICH: We have electronic records.
14 The Department of Navy, for example, has the Chief of
15 Naval Operations Message Traffic during the war. It
16 was kept. And they have now taken that and made it
17 available to the investigation team where they're doing
18 a search for health related documents. And I've got
19 some electronic records.

20 AUDIENCE PARTICIPANT: That's brings up the
21 second question. How quickly can the investigation
22 team review. There are only a limited number of them.
23 And it seems to me if you did a review of what your
24 flowchart says, that's the choke point.

25 COL. DIETRICH: Well, part of what they are

1 attempting to do is to use some really sophisticated
2 automation technology, a lot of it developed by the
3 government, to help them with their research, to go in
4 and find relative connection to the information. You
5 know, to find where there's clustering of information.

6 Maybe every time you have X happen, it's from
7 this group of units, so then they can make some sort of
8 correlation. So they're looking for automation to help
9 them do that and that's one of the reasons that they
10 want the information digitized.

11 DR. GOLDBERG: Would you say that yours is a
12 five-year program?

13 COL. DIETRICH: Yes, sir. We're funded for
14 five years.

15 DR. GOLDBERG: Funded for five years. So I
16 take it, you expect to have to take that long in order
17 to get through analyzing your documents?

18 COL. DIETRICH: I think we'll be done sooner.

19 MR. WEINBERG: I'd like to follow up on
20 General Armstrong's question because I'm somewhat
21 unclear as to what the purpose the database is supposed
22 to serve and what information is supposed to be
23 garnered.

24 DR. GOLDBERG: Basically, it will tell you
25 what's been declassified. That's something that has to

1 be determined. That's what the data field is all
2 about.

3 MR. WEINBERG: Is it supposed to be like a
4 subset that's openly available of a classified database
5 which would be shared amongst all the agencies?

6 DR. GOLDBERG: I don't know. The Executive
7 Order, to my understanding, requires a government wide
8 database which contains the relevant information on
9 information that's been declassified. Is that right?

10 DR. WAMPLER: Are you going to establish the
11 standards? Is that part of your function?

12 AUDIENCE PARTICIPANT: We have the
13 responsibility of the oversight with regards to that.
14 I hate to say that it is a subject we have not been
15 able to address yet. We're in a situation in our
16 office where -- quite honestly, the database has not
17 been one of them yet, but I agree with you entirely
18 that it is essential that it ultimately be dealt with.

19 DR. WAMPLER: Is it foreseen as something
20 like an Internet where you'd have to have compatibility
21 between the various database software that each agency
22 develops to keep track of their own internal
23 processing. When are you going to start addressing
24 that compatibility problem?

25 AUDIENCE PARTICIPANT: I'll be very honest

1 with you. It is a requirement in the Executive Order
2 that is unfunded. We've received no -- the size of our
3 staff has gone down. The responsibilities that we have
4 under this new Executive Order have multiplied.

5 National Archives, which is responsible under
6 the order primarily for the database, has received no
7 funding for it and I'm not aware currently that funding
8 is being sought.

9 So we're in between two competing situations
10 here dealing with budget factors and program factors
11 and I wish I could come up with an answer that would
12 sound like I have an answer, but I don't.

13 MR. WEINBERG: Well, let me make a suggestion
14 in a practical sense here on a very important issue
15 that's been raised in different ways.

16 The notion of putting the documents or even
17 descriptions of individuals documents on the WEB,
18 Internet or whatnot, would be an enormous waste of
19 money and time on everybody's part. The term database
20 can be read in a number of ways, at least the way I
21 read it in the Executive Order, and that is, that what
22 is in fact needed, it seems to me, is group
23 descriptions.

24 That is to say, not unlike what the National
25 Archives does in the back of Prologue every issue. That

1 is to say, that the Bureau of Ships, 19XY, X hundred
2 linear feet, have been processed or declassified. That
3 the CNO records for this, that -- in other words, group
4 descriptions which then make it possible for people to
5 know, well, there is a group.

6 Now, if you want more details, you'd better
7 get to Archives, too, or wherever and whatnot. If
8 they've got inventories, you use them and so on.

9 The time and money that would be invested
10 into anything more detailed is going to be time and
11 money that won't go into declassification, which is
12 vastly more important and vastly more urgent.

13 GEN. ARMSTRONG: I think you're making a
14 mistake --

15 MR. WEINBERG: I'm sorry. I didn't hear what
16 you said.

17 GEN. ARMSTRONG: I'm sorry. I think you're
18 making -- my understanding of the idea is that we will
19 identify documents that have been declassified so that
20 other agencies know that and don't have to go through
21 the declassification process again. From a
22 declassifier's standpoint, that's what I understand
23 they're looking for.

24 MR. WEINBERG: Well, if that's the case, it
25 will take -- it will simply slow up rather than speed

1 up the process. It is cheaper and faster for three
2 different declassifiers scanning through the whole U.S.
3 government separately to declassify a particular
4 document that happens to be in all three than for all
5 government agencies to put down the hundreds of
6 millions of declassification actions and feed them into
7 a machine.

8 I agree that there's going to be some
9 duplication here, and that's unfortunately unavoidable.
10 There is another side to it which I shouldn't admit to
11 this, but it's of course true. And anybody who works on
12 the academic side knows this. And that is, that
13 periodically, somebody finds a document which is closed
14 in one archive but open in another. And the reality of
15 life is that we're all going to have to live with this.
16 That the government people are going to have to live
17 with it unless they get unlimited funds, which they
18 won't have. And the scholars will have to do the best
19 they can under the circumstances.

20 The perfect is always the enemy of the good
21 and practical.

22 MR. HEIMDAHL: Dr. Weinberg, if I might just
23 interject, some of us are building the databases anyway
24 as we do the declassification. Simply, for instance,
25 in the Air Force, we declassify a document held by

1 the -- Command. That same document may be in the Air
2 Mobility Command. Therefore, in order to provide
3 uniformity of information throughout the Air Force, so
4 that two separate people don't declassify the same
5 document, we're putting it in a database so you can tap
6 into that database, know what's been done and then two
7 people won't be looking at the same thing and expending
8 that much more time, energy and in essence, money also.

9 MR. WEINBERG: I don't disagree with you.
10 Where and as it's practical and can be done, that's
11 fine. But the notion that it can be done on a
12 universal basis for individual documents across the
13 government is simply going to slow the process rather
14 than accelerate it. That's all I'm saying.

15 And of course, it particularly applies in
16 distributions of things which run in whole series;
17 standing orders which go out and so on and so forth and
18 which only need to be declassified in one part of the
19 hierarchy and the other parts can be notified.

20 I'm not disagreeing with you at all. You're
21 absolutely correct. All I'm saying is the notion that
22 you're going to put 500 million documents into some
23 kind of a list, the inputting alone is going to cost
24 more than declassifying the next 100 million.

25 AUDIENCE PARTICIPANT: I think you may have

1 been talking about two separate things. You're talking
2 about Air Force documents. I think you were talking
3 about, let's say, a Navy file.

4 MR. WEINBERG: The point was raised about --

5 AUDIENCE PARTICIPANT: We have a CIA
6 document, we have an Army document, we have an Air
7 Force document, a JCS document. We are not going to
8 review that document. We're going to tag it. If it's
9 in the National Archives, if it's accessioned, then
10 those agencies will come in and review that document
11 which happens to be in our files. We may have equities
12 in there. Depends on how much time we have. That's
13 why I said earlier this is a very complicated business.
14 I mean, there's no way to simplify it. I mean, smarter
15 people than we have tried to find the solution and
16 there just isn't any easy one.

17 DR. GOLDBERG: How are they going to find out
18 whether it's been declassified?

19 AUDIENCE PARTICIPANT: It's up to the agency.

20 DR. GOLDBERG: This is has been the problem
21 all through the years. That's why it's possible to
22 find a document in one archive that's declassified and
23 in three others, it's still classified.

24 AUDIENCE PARTICIPANT: Nobody has corrected
25 that.

1 GEN. ARMSTRONG: I don't entirely agree. It
2 seems to me that the Air Force's approach, to the
3 extent that an individual agency, such as the Army or
4 the Navy, compiles a similar listing for their
5 documents that are declassified, it would seem to me to
6 be useful if all of those listings obeyed the same set
7 of rules when they're developed. And that way, at least
8 you could go with the same set of rules to each
9 listing.

10 And if at some point in time those listings
11 were linked together so that you didn't have a single
12 database but you had multiple databases, all of which
13 could be accessed through some common method, that
14 would make sense. And I think that's what the
15 declassifiers are interested in, isn't it?

16 AUDIENCE PARTICIPANT: I think that's what
17 the Government Information Locator Service feels it's
18 supposed to do, although we haven't heard anything
19 about that. I don't know if NARA is ready to talk
20 about it or not. That's what I thought the purpose of
21 GILS was going to be. To make available through the
22 Internet a list and just the index of declassified
23 documents.

24 MR. HEIMDAHL: I know the Air Force people
25 are looking at it. I don't know what the status of

1 their effort to achieve conductivity will have --

2 GEN. ARMSTRONG: I don't think anybody's
3 asking for a single list. I think the most anybody is
4 asking for is if everybody uses the same rules to make
5 their own list and make those lists accessible. That
6 doesn't seem to me to be beyond -- it may be
7 bureaucratically impossible given the status of the
8 federal government. I don't know. But it seems on the
9 face of it to be a reasonable thing to do.

10 COL. DIETRICH: But, for example, does this
11 database only list the records groups or does it go
12 down to the box level or the folder level or the
13 document title? What are the elements of information
14 that are supposed to be in this database? And if you're
15 a researcher, do you want to have to figure out the
16 Army standards when you go to the Army's database and
17 then spend time trying to figure out what the Air Force
18 was doing when they did theirs, and then try to figure
19 out what CIA's standards were?

20 No. There should be one central government
21 wide standard that we all adhere to. And the Air Force
22 is well on the way on their project, and I'm sure
23 they're already creating a database. Do they have to
24 go back and start all over again if and when they
25 receive these standards?

1 DR. GOLDBERG: Given the differences that
2 exist already in the different systems of the services
3 and the agencies, can you get a universal set of
4 descriptors that will apply to all?

5 COL. DIETRICH: I think we could.

6 DR. GOLDBERG: You can?

7 GEN. ARMSTRONG: You could by fiat on the
8 part of the Air Force.

9 MS. BRAGG: Well, by fiat and money. We've
10 got enough by fiat that there's no check written to. I
11 think really -- I agree. It took us until 2:00 and
12 finally Dr. Weinberg and I agreed on something.

13 (Laughter.)

14 I wanted that to go on the record. But I
15 think really we're talking about at least two databases
16 here. There's one that I think Dr. Weinberg was
17 talking about to let the public know what has been
18 declassified. And then his terminology was group
19 descriptions of what has been declassified. And that
20 makes a lot of sense because if we have to get down to
21 the nitty-gritty in every little document, it's going
22 to bog us down and it's going to take away time from
23 really reviewing the material and getting on with this.

24 DR. GOLDBERG: And when you say group, you
25 don't mean record group. You mean some kind of group.

1 AUDIENCE PARTICIPANT: A file series
2 approach.

3 MS. BRAGG: I don't know what we mean by
4 group, but it's something other than an exact
5 description of every little item of information in
6 there and the title of every document.

7 There's another database that I think is very
8 much needed and in our interagency discussions we have
9 brought it up time and again, is when, for instance,
10 you look through an Army file and we come up with a CIA
11 document. We need some mechanism to let the CIA know
12 that in box XYZ, file ABC, you need to come over and
13 take a look because we've got some of your information.
14 And that does make sense that we would have some sort
15 of way that the CIA will know when they go to the
16 Archives -- okay, in the Army records, I need to look
17 at such-and-such. And the same for all other agencies.

18 Now, that's something that government
19 agencies have to kind of do on their own. I'm not so
20 sure that HRDAP is interested in it, but HRDAP might be
21 interested in how it's identified to the public of what
22 actually has been declassified.

23 DR. GOLDBERG: Then they'd have to come over
24 and take a look because if you identify it for them,
25 they probably couldn't find it in their own records.

1 MS. BRAGG: That's quite true.

2 COL. DIETRICH: That's a monumental challenge
3 and that's the referral issue I had on my slide. It is
4 a monumental challenge. And if you're CIA and you're
5 up to your ears in CIA documents, how willing are you
6 going to be to come running over to the Air Force or
7 the Army or wherever to go review information in their
8 files.

9 We've got Army intelligence records that are
10 classified by multiple sources and it's not always
11 clear to us who those sources are; CIA, NSA and so on.

12 DR. WAMPLER: But does such a database, if
13 you have it, be on a classified basis? Say you pull up
14 something that has another agency equity. You're Army.
15 You get something from the CIA. If you could somehow
16 plug in a descriptor of that into a CIA database and
17 see whether they've already located it and made a
18 decision on it, you've already done the referral
19 process, a great deal of it.

20 They found it. You've identified an exact
21 copy of something they've already looked at and you've
22 taken care of it.

23 AUDIENCE PARTICIPANT: But CIA, I don't think
24 would permit that.

25 DR. WAMPLER: Well, okay. But what about

1 other agencies? What about Army-Navy, Army-Air Force.
2 You know, those sorts of equities within the Pentagon
3 even.

4 AUDIENCE PARTICIPANT: We have to be very
5 careful about the CIA inputs. I mean, even the job of
6 the signer of a document at the time they sign it can
7 make a difference in whether the document is
8 classified.

9 DR. WAMPLER: What I'm saying is if the CIA
10 has already looked at that document and made their own
11 decision and then sometime subsequently you find a copy
12 of that document in another agency and you can go to
13 their database and see they've made a decision. You
14 just follow their decision.

15 AUDIENCE PARTICIPANT: Is it an exact copy?
16 Does it have other graphic notes on it?

17 DR. WAMPLER: That depends on what sort of
18 database each agency wants to set up for their own
19 internal cross-references for precedent.

20 AUDIENCE PARTICIPANT: We have been told
21 don't take any chances.

22 DR. GOLDBERG: Yes?

23 AUDIENCE PARTICIPANT: We did a -- along
24 those lines, a test once at the National Archives. We
25 took three random days out of our database that we'd

1 thrown items and checked all of the citations that
2 looked like they might be the same document. We had at
3 least several instances with the exact same citation of
4 the document which turned out to be totally different
5 documents and at least one instance of two citations
6 that looked like they'd be different documents but
7 turned out to be the same document.

8 So you can't go just from the bibliographic
9 citation and assume that you have the same document as
10 the one you're holding in your hand. You're not really
11 going to eliminate that many referrals that way.

12 It seems to me, and I know this is not a
13 popular opinion among many agencies, is that what would
14 be more useful would be a database that takes all of
15 the agency's declassification guidance, makes it
16 available on line for anyone to use, so that you don't
17 have to do all of this interagency referral except for
18 things at the most sensitive level.

19 GEN. ARMSTRONG: That means giving you
20 declassification authority to see all the documents.

21 AUDIENCE PARTICIPANT: I may not get
22 declassification authority over CIA documents but I
23 already have declassification authority for State
24 Department, Navy, Army, Air Force, almost everybody but
25 the intelligence agencies. And if the Archives can do

1 it, why can't the Navy do it and the State Department
2 do it? They have generally more senior people doing
3 this kind of work than anybody.

4 COL. DIETRICH: Why should the Navy do it?
5 Why doesn't the government do it? Why should the
6 lowest organization have to be proactive and go ask
7 them for it. Why don't it come down from on high?

8 AUDIENCE PARTICIPANT: You mean the money and
9 the resources?

10 COL. DIETRICH: The money and the resources,
11 the policy, the guidance, the standards. And if you
12 want the Army to have declassification authority for
13 Navy documents and Department of State documents, give
14 it to them. Don't make them come ask for it.

15 AUDIENCE PARTICIPANT: But you can't do that,
16 Steve. You know you can't do that.

17 COL. DIETRICH: That's right.

18 MS. KLOSS: I think we're starting to talk
19 about interagency issues and I was wondering if we
20 could rein it back into a DoD outlook for the final few
21 comments. We're getting to about a half hour from
22 close time and there are interagency forums to tackle
23 some of the issues such as automation. And under Steve
24 Garfinkle's cognizance, I'm sure he you will take some
25 of these sentiments back with him. But DoD needs from

1 the historians, let's get back to that.

2 DR. GOLDBERG: All right. I think we've
3 reached the point where we ought to consider what we
4 would like to report as the essence of this meeting;
5 what kind of recommendations we would like to make with
6 reference to it. I intend to make a report once again
7 to the Secretary of Defense. It will go to the
8 Assistant Secretary for C-3I and from him, probably to
9 the Deputy Secretary again.

10 However, we can get attention at the level of
11 the Assistant Secretary for C-3I and reaction because
12 that is the office which has overall responsibility for
13 DoD declassification. And I think we can address
14 whatever we have to say primarily to that office with
15 the hope of getting some kind of reaction from them.

16 Therefore, I would like to ask you to give me
17 your thoughts on the kind of thing we ought to be
18 thinking about and asking about.

19 One thing I might bring to your attention
20 initially is that the directive which will provide the
21 overall prescription for the operation of the program
22 within DoD is still in the making. It's nearing
23 completion. It may be too far along for us to really
24 affect it. I'm not sure.

25 However, I see no reason why we shouldn't

1 make some recommendations about what might be included
2 in that directive which would further the legitimate
3 interests of this panel.

4 MR. BROWN: Can you identify that directive
5 you're talking about?

6 DR. GOLDBERG: It's the DoD directive on
7 declassification. It's the basic directive.

8 MR. TRACHTENBERG: Do I take it that we're
9 wrapping up with our discussing the fundamental issues
10 that were raised in the exchange of classified --

11 DR. GOLDBERG: And what terminology was that?

12 MR. TRACHTENBERG: Can we talk about it at
13 some length? Because it's going to --

14 DR. GOLDBERG: I don't know about the length,
15 but go ahead.

16 MR. TRACHTENBERG: All right. I don't know
17 other people feel but I'm just speaking as a
18 professional historian, I don't know if I share the
19 view of the other civilian historians or academic
20 historians, but to me there's something quite
21 unsatisfactory about the course that these discussions
22 have taken.

23 Not that there've been problems with these
24 briefings, which the last one was very interesting,
25 really. It's fascinating to hear you're doing this

1 stuff. But is this what we're supposed to be about as
2 a committee? I mean, you're not asking us for
3 historical advice. You're telling us what you're
4 doing, which it's interesting.

5 Is the function of this committee as far as
6 the historians are concerned to give the academic
7 historians an education in the declassification as a
8 bureaucratic process and all the problems that are
9 faced by people doing the declassification? If so, to
10 what? What's the point of that? Are you interested in
11 getting our input into how to better manage the system?

12 I'm not an expert in archives management or
13 in database management or records management or
14 anything like that. That's not my area of expertise.
15 This is the sort of issue where as far as I'm concerned
16 you're the professionals. This is where you're the
17 ones who have the hands-on experience. This is where
18 your judgment should be decisive; right? And yet it
19 seems that practically all of the discussion today has
20 been on declassification as a bureaucratic process and
21 how it could be better done.

22 The issue keeps arising in my mind what do
23 they want from us? What do you want from us?

24 My assumption was originally that you wanted
25 input from us of a professional nature in our capacity

1 as professional historians rather than as people who
2 have something to say about records management. Is
3 that happening? I don't see it.

4 Let me finish because then everybody can have
5 a chance to react because I thought this out and it's -
6 - to my mind, this is the central issue. Not how we
7 should go about organizing the computer system or
8 anything like that, and I think we should talk about
9 it.

10 In the letter from Rene Davis-Harding, which
11 has a certain official weight given her official
12 position, she doesn't like the idea of people coming
13 with lists of files and lists of documents. That's not
14 what we're supposed to do. Okay. Well, what does she
15 want from us? How are we supposed to proceed?

16 She says in the bottom of the first page of
17 the letter that -- and this is true that at the last
18 meeting an invitation was extended from the Navy staff
19 to visit the Navy Yard and talk because that is the
20 preferred way to provide assistance to the services.
21 Do it informally, she's saying.

22 So what are we supposed to do as a committee?
23 Rather than trying to force the panel's view on an
24 already overburdened security staff, it's supposed to
25 be done in formally.

1 What I had hoped for was that these
2 presentations would provide the framework for an
3 exchange of views, a kind of dialogue between the
4 people doing declassification and the professional
5 historians about problems that develop, how the balance
6 should be struck between the legitimate security
7 interests of the government agencies and the public
8 interest in getting information out. I don't see that
9 happening. And I don't see that we're really moving in
10 the direction where our input as historians counts for
11 something.

12 So, just to conclude, it's very nice to get
13 this education. It's very expensive to the American
14 taxpayer. It's not just the cost of bringing us in but
15 the cost to the taxpayers of everybody's time in this
16 room, and to what end, to what end? So if we're really
17 not being asked for any serious input about what
18 matters in terms of its historical importance, what is
19 the point of the committee -- of this panel.

20 Unless that question is answered, you know,
21 you really have to wonder about what is going to
22 happen.

23 DR. DUDLEY: Okay. Now, I disagree that
24 nothing's been happening here and you're one of the
25 precipitants of this and you were from the early time

1 on, as well as the other members of this panels.

2 I do think you've had a dialogue. You've
3 been bringing up issues. You're asking for advice;
4 right? That's the wrong way. You're supposed to be
5 giving advice. We are supposed to be giving advice.
6 That's, I think, what should be happening now. That
7 is, the members of this group, supported by other
8 people, should formulate advice and not be asking the
9 members of this audience to give you advice.

10 MR. TRACHTENBERG: We can't give advice in a
11 vacuum. We've given our very general advice. But for
12 advice to have any value, it has to be in response to
13 specific questions that are put. There has to be a
14 dialogue. It can't just be dished out by us. And she
15 made it quite clear that she does not want us to take
16 the initiative.

17 DR. DUDLEY: Well, you can turn that around.
18 I've been involved in advisory committees myself from
19 my department. So has Dr. Goldberg. Others have, as
20 well. You're an advisory committee. Then you
21 deliberate and give advice. You don't have to ask for
22 guidance. You don't have to take guidance. You can
23 give advice.

24 DR. GOLDBERG: That is correct.
25 Incidentally, Ms. Davis-Harding is gone. She will not

1 be involved in this any further. I was not in
2 agreement with what she wrote there.

3 With reference to giving advice, this is one
4 of the reasons I proposed and am pushing the idea of
5 pilot projects. And it's my intention that these pilot
6 projects, that is, the actual contents of these pilot
7 projects be drawn from the lists which have been
8 submitted to this committee; one by a member of the
9 panel and one by somebody else, David's list and the
10 Wampler list.

11 I think this will mean that this committee
12 has given advice if you are in agreement with this
13 approach, that this represent a form of priority for
14 the services and the other agencies involved. We will
15 recommend that these be given priority as they report
16 back to us, then engage in a dialogue with us on what
17 they have accomplished, what they think can be
18 accomplished, and what is our reaction to what they've
19 done.

20 Does that answer you in any way?

21 MR. TRACHTENBERG: Well, let's hear what Bob
22 has to say.

23 DR. GOLDBERG: It's what?

24 MR. TRACHTENBERG: It's good. It's the right
25 direction.

1 DR. WAMPLER: As part of the follow on
2 dialogue, do you envisage us also having a discussion
3 with them about, gee, why did you not release that? I
4 mean, that article we saw, this was at some point
5 getting to a dialogue over weighing the risk against
6 the need for public understanding.

7 DR. GOLDBERG: Well, this is the nub of what
8 a lot of you people have in mind.

9 DR. WAMPLER: Yes.

10 DR. GOLDBERG: Your concern with having as
11 much released as possible and you want to know why
12 things aren't being released; what is the
13 justification. And you're asking for a fuller
14 justification, for exemptions. Is that not correct?

15 Well, in some instances, you're getting it.
16 Some of these lists do have very full justifications
17 for not releasing.

18 DR. WAMPLER: Do you have -- how would you
19 proceed going through the lists? How should we come to
20 a decision as to which items on the list we want to put
21 forward as a pilot program?

22 DR. GOLDBERG: Well, I was thinking of doing
23 it myself as a representative of the panel selecting
24 very high quality projects, very high quality offices.
25 The office of Secretary of Defense, to begin with. The

1 office of the Secretary of the Air Force, the Chief of
2 Staff of the Air Force and so on. Selecting those high
3 level records and a certain amount of them, something
4 that's doable within the next three months so they can
5 come back and report to us.

6 MR. TRACHTENBERG: Well, I would propose that
7 the two of you get together and draft something and
8 send it around to the entire panel.

9 DR. GOLDBERG: We've already done it, in
10 effect.

11 MR. WEINBERG: It does seem to me that there
12 are a couple of broad areas. I mean, in one respect I
13 agree with what Dr. Trachtenberg said. That is to say,
14 it's not our posture to tell them which computer
15 program to us. But I do think that there are some
16 broad issues on which at least I sense there is some
17 agreement among members of the panel, including
18 Professor Leffler, who had to leave, which go at the
19 broader issue of direct declassification.

20 It seems to me, for example -- I'll just give
21 two. One of them is I think there is general agreement
22 that we would urge the agencies to do their
23 declassification in what I would call broadly phased
24 chronological sequence. To start with the immediate
25 post-World War II period and move in whatever stages

1 the records lend themselves to towards the present
2 rather than the other way around. Nobody has to agree
3 with me, but that's a broad timely recommendation which
4 one can discuss and agree to or not agree to.

5 A second area on which it seems to me at
6 least there is some agreement in the panel is that we
7 should urge that included in these guidelines coming
8 from the DoD is a sense that those categories which are
9 to be listed under the various exemption categories
10 should include brief, one or two line descriptions that
11 can be made public, which refer to nature, dates,
12 involvement. That is to say chemical warfare, 1945 to
13 '55, 100,000 pages. That doesn't reveal any great
14 secrets to anybody, but it gives a sense of what's
15 involved.

16 And that rather than simply referring to
17 segments of the Executive Order under which it's done,
18 some such very broad categorization be included and
19 that can be made public and be included in the
20 description. Subject matter, dates, approximate size.
21 Again, --

22 DR. GOLDBERG: That has been done to some
23 extent.

24 MR. WEINBERG: I'm sorry?

25 DR. GOLDBERG: That has been done by some.

1 MR. WEINBERG: Yes. It has by done by some,
2 not by others. Again, we don't, it seems to me, want
3 to get into the precise details of how the agencies do
4 it. What we're trying to do it give advice for a
5 framework.

6 DR. GOLDBERG: And that's why I brought up
7 the matter of the DoD directive --

8 MR. WEINBERG: Exactly.

9 DR. GOLDBERG: -- and the possibility of
10 having broad prescriptions in there which can be
11 applied by the agency.

12 MR. WEINBERG: That's exactly the two that
13 I'm suggesting.

14 DR. DUDLEY: I agree, Professor, with what
15 you've said. And I was wondering if, in addition, Dr.
16 Goldberg, whether pilot programs, for example,
17 specifically focusing in on what Professor Weinberg
18 said, a pilot program at one of the agencies focusing
19 in on the 1945 to 1960 period, for example, to see what
20 kind of obstacles arise; to see what percentage of
21 exemptions must occur. Seems to me that could be done.
22 That could be advice. I mean, you're asking for
23 advice. This is advice.

24 DR. WAMPLER: I don't know where this fits in
25 and it takes some background.

1 I followed up on the invitation and had a
2 talk with people at the Joint Staff last week to find
3 out about their program and they seemed to be following
4 the same approach that Professor Weinberg was talking
5 about in terms of chronological. And they're very far
6 along.

7 What I was told by the end of this year,
8 early next year, they will have completed their review
9 of all the category three materials, which is the
10 lowest level, least difficult. Then they will move to
11 category two, chronologically, starting with '64,
12 coming up through '75, looking into every single file
13 series. And then they will move into category three,
14 perhaps, by the end of the period.

15 What I was told was there might be some way
16 for them to get additional resources through the use of
17 reservists to accelerate the review of category two,
18 which does have historically important material in it
19 dealing with various Cold War crises, conventional,
20 chemical, biological, arms control, Middle East wars.

21 There's material in there that historians
22 would like to see and there's a way which could be
23 worked out perhaps to get reservists on board to help
24 out with category two. And I would defer to General
25 Armstrong as to how we would frame and word that, but

1 still, the impression I was given is that a
2 recommendation to that end could be useful to them in
3 trying to arrange for the use of these reservists by
4 their declassification program to accelerate that.

5 It would get historical material out sooner
6 and get them to the category one material sooner.

7 DR. GOLDBERG: We've already recommended more
8 resources.

9 DR. WAMPLER: Well, this is very specific and
10 doable.

11 DR. GOLDBERG: Just for the Joint Chiefs?
12 This is only Joint Chiefs of Staff you're talking
13 about.

14 DR. WAMPLER: Well, reservists may not be
15 used for --

16 DR. GOLDBERG: That's a very unique
17 organization in this respect.

18 DR. WAMPLER: But do all our recommendations
19 have to be geared towards the overall problem? If we
20 see a target of opportunity where we can get something
21 done, shouldn't we try to say we should move on this?

22 DR. GOLDBERG: All right. We can do that.
23 We can do it for all of them. We can recommend this as
24 a possibility.

25 GEN. ARMSTRONG: Well, there's a little bit

1 of different in each of the services' own reservists.
2 The JCS doesn't have reservists. We have to go to the
3 services and get them. And so, they could use some
4 help, I think. And for that special reason.

5 We did I don't know how many hours.

6 DR. WAMPLER: A couple of hours,
7 approximately.

8 GEN. ARMSTRONG: As you say, that's a unique
9 and rather small collection and so forth and so on and
10 they've gotten started.

11 But to get back to this point of the
12 chronological -- broad chronological approach, it may
13 be too broad, which is why I suggest these pilot
14 projects and I suggest priorities within that broad
15 general approach, which would focus on the high level
16 policy materials, which is what you're most interested
17 in and perhaps the public is most interested in also,
18 to the extent that it's really interested.

19 So I think the pilot projects can give us
20 some indication of how it will work and how far we can
21 go in recommending priorities for that sort of thing
22 within the broader chronological category.

23 COL. MONIGAN: I want to address Professor
24 Trachtenberg's concerns just a bit because I think it's
25 important for us to have an understanding.

1 I saw the agenda as you did on the read ahead
2 package and welcomed the opportunity for the individual
3 services to come in here and brief the panel of
4 historians, in anticipation of advice to be
5 forthcoming. That's what they're looking for. These
6 are good people trying to get the job done with the
7 resources that they have available. It's not a
8 bureaucratic problem. These are some smart people
9 trying to attack a problem as best as they can and
10 getting on with it.

11 Perhaps it would be more satisfactory for the
12 civilian historians, Dr. Goldberg, if they would
13 participate in the formulation of the agenda for our
14 next meeting. And it sounds to me as if it was
15 solicitation to have more of a panel type of
16 discussion, open, roundtable discussion, rather than
17 formal presentation. And I would like you to take that
18 into consideration.

19 DR. GOLDBERG: Yes. Well, we have had some
20 communications in the past and we have fashioned the
21 agenda to permit taking care of the requests for
22 inclusion of issues on the agenda.

23 Am I correct in understanding that?

24 MS. KLOSS: Well, we are providing you the
25 speakers because you asked for it, actually.

1 I could be wrong but what we are trying to do
2 is take your recommendations after the meetings and try
3 to act on them. Now, Professor Trachtenberg's comments
4 I think go to the heart of the issue: what's the role
5 of HRDAP; are we getting anywhere; is the charter a
6 valid charter; i.e., looking at topical areas for
7 recommendations.

8 I would suggest to you the value of having
9 the three briefings today from the military services
10 and certain Colonel Dietrich's was to give to you an
11 appreciation of parameters. If you come back with
12 recommendations that are undoable because of resources,
13 because of configurations of your request, because of
14 the mechanisms for retrieving the information, it will
15 be hard for us to weigh those recommendations as
16 appropriately as we should.

17 MR. TRACHTENBERG: Let me just respond.

18 I'm leery about the idea of us as a panel
19 coming in and making recommendations in a vacuum. What
20 I had hoped for was a dialogue, a give-and-take
21 dialogue with people doing the actual work coming in
22 and saying, gee, these are the things that we're not
23 quite sure of. We know we have to strike a certain
24 balance. We're not quite sure of what's important in
25 terms of the interests of the entire society in

1 understanding these issues. Let's talk about this and
2 then have a dialogue take place.

3 Instead of a dialogue, we've basically had
4 presentations. This is what we're doing; so-and-so
5 many cubic feet of documents per year. Those are not
6 substantive historical questions which can draw on our
7 judgment; right?

8 I don't think it's impossible to say that
9 from now on instead of, quote, briefings, what we'd
10 like to have are presentations which raise issues that
11 crop up at the working level in which professional
12 judgment of historians can have a certain bearing.
13 That's all.

14 MS. KLOSS: So much more the value for a
15 pilot program because that way you all have a common
16 objective.

17 MR. TRACHTENBERG: Yes.,

18 DR. GOLDBERG: Can you'd tell us some of
19 these issues?

20 MR. TRACHTENBERG: Well, of course. For
21 example, we had the Air Force presentation and he had
22 these nice bar charts and how many feet of documents
23 get declassified and how many remain exempt.
24 Presumably it's a judgment call whether something
25 should go into one category or into another.

1 People could be up front about their
2 uncertainties in deciding what should go where. And as
3 I say, they could say, well, for example, this is a
4 typical problem that developed and we'd like to get
5 some sort of sense for why historians think it's so
6 important that we get this stuff released.

7 So you could have a little bit of a
8 discussion on that, where I would feel like my skill
9 and background as a historian was being drawn on and
10 was having some impact on the day-to-day work of these
11 people.

12 Now, your idea of pilot projects, that's
13 fine. But that's just kind of an isolated thing in
14 this huge ocean. And my understanding was that we were
15 supposed to have some impact on what was going on with
16 these matters.

17 DR. GOLDBERG: You don't expect to comprehend
18 the whole ocean in the beginning, do you?

19 MR. TRACHTENBERG: No. But I would like to
20 get a dialogue going and I don't think we've had what I
21 would call a dialogue.

22 DR. GOLDBERG: Well, you certainly heard a
23 lot of reaction from members of the panel as well as --

24 MR. TRACHTENBERG: We've had reaction. Of
25 course. I have a lot of things to say about the whole

1 process of declassification as a problem of
2 organization, but that's not the core of what we're
3 about. As I say, I am not an expert in records
4 management and yet a lot of the discussion was a
5 discussion that should have taken place among people
6 who are experts in records management and not
7 historians.

8 DR. GOLDBERG: There's nothing to stop you
9 from initiating a dialogue.

10 MR. TRACHTENBERG: Again, this is the sort of
11 thing where we are an advisory committee. We don't
12 give advice in a vacuum. People have to come to you
13 with specific problems.

14 MS. KLOSS: Professor Trachtenberg, I think
15 one of the main issues that would face that type of a
16 dialogue in this forum is that we are in an open forum
17 and the dialogue should be on areas that have yet to be
18 resolved if they were of continued classification or
19 declassification. Thus, you have eliminated the
20 potential for that dialogue to be held at this forum.

21 Now, again, each of the components has
22 offered numerous times to include you in their
23 infrastructure and they do that sincerely -- as I look
24 for nodding heads.

25 (Laughter.)

1 For us to take advantage of your expertise,
2 we think that we have to do it twofold. We have to do
3 it as a collective where you look at broad areas. Some
4 of your comments today; specifically, do you go through
5 the oldest documents, most recent, and so forth. But
6 also specifically to work with the agencies, with the
7 components, on an individual basis. That's where the
8 need is.

9 MS. BRAGG: Can I offer an observation?

10 DR. GOLDBERG: Yes.

11 MS. BRAGG: And I'd like to do so while Steve
12 Garfinkle is in the room.

13 Steve, you weren't here earlier when we, I
14 thought, did have a dialogue. And the concerns that I
15 conveyed to the panel was that the Army felt that there
16 was a clock ticking and the clock was dated 17 April
17 2000. And that what our charter was under the terms of
18 the Executive Order is anything that we had not
19 reviewed and determined to be legally exemptible under
20 one or more of the nine categories.

21 On 17 April 2000, whether or not that
22 information had been reviewed it would be automatically
23 declassified.

24 Now, some of the members of the panel
25 questioned that and more so, I think, during the breaks

1 when they came up to me and said, oh, no, that's not
2 really what the order says. You're over-interpreting
3 it. It won't actually be declassified if you haven't
4 reviewed it.

5 So I was wondering if you could comment on
6 that because -- and then after you do, I'd like to then
7 give a reason why I'm asking for that.

8 MR. GARFINKLE: Well, the very easy answer to
9 your specific question is yes. That is exactly what
10 the order says and that is exactly what was intended
11 for it to say.

12 And you didn't ask me this, but I would,
13 since I have the floor, -- when we drafted the order
14 and a number of political and other factors drifted in
15 in the final months of the order, when the decision was
16 made to go to a 25 year rule, I think we failed to
17 comprehend the records management consequences of that
18 decision and the weakness that was inherent within
19 agencies in knowing what was encompassed by this order.

20 And I think a lot of the problem that
21 Professor Trachtenberg is expressing and relating it to
22 hearing so much about records management is the very
23 thing that has caught us or that we were not eager
24 about, and that is that this initial period, this first
25 year of this Executive Order has been less a period of

1 substantive declassification and knowing specific
2 subject areas than it has been getting a grip within
3 the agencies on what the product is, what the problem
4 is.

5 And I think a lot of what you're hearing in
6 the records management area is the reflection of a
7 catch-up that's had to be conducted this past year.
8 And I think as we get along farther in the process,
9 you'll get a lot closer to the very substantive issues
10 regarding subject matter that you're more interested
11 in.

12 DR. GOLDBERG: Steve, may I ask you a
13 question that just occurred to me? Would you like to
14 have the Historical Records Advisory Panel?

15 MR. GARFINKLE: Well, the Executive Order
16 calls for the creation -- one of the things that
17 fascinates me the most about sitting in here is that
18 there's a requirement in the Executive Order to
19 establish just such a panel.

20 DR. GOLDBERG: I was talking about your
21 office.

22 MR. GARFINKLE: For our office? No, I don't
23 think specifically for our office. I think it's
24 important that we move ahead with the establishment of
25 the panel as its anticipated for the authority overall.

1 But I guess I'm taken by the fact that were we to
2 establish that panel today, we might confront these
3 very same questions about what its purpose was that
4 this panel is confronting because, for sure, the DoD
5 panel is talking about 80 percent of the product that
6 we're talking about government wide.

7 So it's not going to differ significantly.

8 MS. BRAGG: So the reason -- thank you,
9 Steve. The reason that I asked for that clarification,
10 getting back to -- I think you made some very good
11 points, Dr. Trachtenberg, is what do you want from the
12 panel and what kind of advice do you want.

13 If we didn't have the clock ticking, then the
14 Army would like to see, okay, what does the historical
15 community think we should go after first. Instead of
16 digging out some old files that the public has no
17 interest in, what does the public have interest in;
18 what does the historical community have interest in.

19 But because the clock is ticking, we've got
20 to go through this massive effort to try to protect the
21 critical items that we think are out there that are
22 legally exemptible under the terms of the Executive
23 Order and we've got less than four years now to do it.
24 And so that's -- that really complicates, I think, the
25 mission of the panel, knowing that.

1 MR. TRACHTENBERG: Can we just nail down this
2 whole issue of the clock ticking, because it seems to
3 lay behind a lot of the concerns that you have -- of
4 the government people.

5 Suppose we hit midnight and suppose because
6 of the limited funding that's been made available the
7 people doing the declassification haven't been able to
8 get through all of the potentially sensitive materials.
9 Is there anything in the Executive Order that would
10 keep them at that time from invoking paragraph B of
11 Section 3.4 and exempting those materials? And not to
12 mention the fact that wouldn't you agree also that in
13 political terms there is no way in which there is going
14 to be a security catastrophe occurring as a result of
15 the clock ticking away and getting the data?

16 MR. GARFINKLE: I agree with our second
17 comment. I think as a political issue the possibility
18 always looms of action being taken to prevent a, quote,
19 disaster, if that were perceived to be the case. But
20 as far as the specific language of the Executive Order
21 is concerned, I don't agree with you. I don't believe
22 the agencies could at midnight come in and presume to
23 exempt material that had already passed this five years
24 -- five-year period.

25 What that would require would be a rewriting of

1 the Executive Order, quite frankly, or the legislation
2 that would be contrary to the --

3 MR. TRACHTENBERG: That's material that had
4 already been exempted but they haven't gotten around to
5 it because of limited funding.

6 MR. GARFINKLE: Well, if what you're saying
7 is they have applied a blanket exemption that covers
8 everything? Is that what you're referring to?

9 MR. TRACHTENBERG: Well, whatever they've
10 exempted and there are exemption plans that have been
11 approved and they haven't been able to get around to it
12 because they haven't been given the resources. That's
13 the issue.

14 MS. KLOSS: No. It's the opposite. It's not
15 exempt.

16 MR. TRACHTENBERG: The claim is that the
17 stuff that's been exempted automatically becomes
18 declassified.

19 MS. BRAGG: No, no. It's exempted from
20 automatic declassification.

21 AUDIENCE PARTICIPANT: There's a
22 misperception. Section 3.4 talks about identifying the
23 records that are exempted. Those are to be reviewed
24 under Section 3.5 starting on the 18th of April 2000.

25 MR. TRACHTENBERG: I see what you're saying.

1 AUDIENCE PARTICIPANT: Theoretically, if we
2 had the resources, we should be reviewing the non-
3 exempted list of files, going on for the next four
4 years.

5 DR. GOLDBERG: Now you know what it's like to
6 go up against the bureaucracy.

7 MR. BROWN: Although I do like your
8 suggestion because if we could get that interpretation,
9 I don't have do anything.

10 (Laughter.)

11 DR. GOLDBERG: Well, that suggestion has been
12 made before. Let it all go. Don't bother with any of
13 it. Wait until 2000 and it will all be declassified.

14 Jim David?

15 MR. DAVID: Yes. There's a gentleman from
16 the Department of Navy and I talked about this before
17 lunch and perhaps this is a clarification. As I read
18 the Executive Order, exempt files and collections are
19 still subject to systematic review for April 2000 and
20 as I see it, there's no reason why they shouldn't be
21 included in various systematic review plans of the
22 agencies.

23 And the gentleman from the Department of Navy
24 takes the position that they're immune, essentially,
25 from systematic review and --

1 AUDIENCE PARTICIPANT: No, no. Automatic
2 review. From automatic review.

3 MS. BRAGG: Not systematic.

4 AUDIENCE PARTICIPANT: Systematic review
5 kicks in on the 18th of April 2000, under Section 3.5.

6 MR. DAVID: But there's no reason why exempt
7 files and collections can't be systematically reviewed
8 before then.

9 AUDIENCE PARTICIPANT: If you had resources,
10 you could do them today.

11 MS. BRAGG: There's millions of reasons and
12 every one is a dollar.

13 MR. DAVID: But as I suggested earlier,
14 there's no reason why very credible claims for
15 exemption of large numbers of the 270 million Army
16 pages, for example, can't be made and focus systematic
17 review be done on collections of various interest.
18 Once again, starting from the Secretary of the Army,
19 Chief of Staff of the Army, and working on down.

20 DR. GOLDBERG: There's no money for that, I
21 think.

22 AUDIENCE PARTICIPANT: Like I say, the
23 problem is the 15 percent and the 100 percent in the
24 next four years. That's the problem.

25 DR. GOLDBERG: And 15 percent is the non-

1 exempt records?

2 AUDIENCE PARTICIPANT: That's right.

3 MS. BRAGG: That's the ballpark.

4 AUDIENCE PARTICIPANT: If you don't have the
5 resources, you can't even count on being able to review
6 the non-exempt records in the next 3 years, 11 months
7 and one week.

8 MR. TRACHTENBERG: Well, I think we've gotten
9 the impression that the bulk of the records are the
10 exempt records. Maybe that's where we're having our
11 problem.

12 MS. BRAGG: Who's giving this impression.

13 MR. TRACHTENBERG: You told us there are only
14 54 files out of 6,000. That cannot be the bulk of her
15 files. They're all part of her files that are going to
16 be exempt that will wait until after this five year
17 panic is over and then they will do it, that stuff, as
18 they can realistically. That applies to all the
19 services.

20 DR. WAMPLER: I have to go back into the
21 original plans that include percentages which were
22 pretty high for what they estimated the exempt material
23 was going to be. If not for Army, then for the OSD or
24 SAC or other people like that. They're the ones who
25 were saying, okay, the bulk of our material is exempt.

1 AUDIENCE PARTICIPANT: Okay. Let's talk
2 about SAC. The SAC histories, most of them are
3 restricted data. They're going to be reviewed. Some
4 of them, as Archie said, they're being reviewed now.
5 But there's a lot of RD that they can't touch. That
6 will have to be done in negotiations with DOE probably
7 after the five years.

8 Thirty to forty percent of the stuff down at
9 Maxwell is RD. It will be done after the rest of the
10 stuff.

11 GEN. ARMSTRONG: When you talk about
12 histories, you're really talking about a special
13 category. I have some familiarity with trying to get
14 histories declassified -- just trying to get my own
15 history declassified. And because there are multi-
16 agency documents or the documentation is multi-agency,
17 it takes on the average -- the latest one I got
18 declassified took two years. The Vietnam series took
19 about six years, 4-1/2 years spent at CIA.

20 So declassification of these histories is a
21 different thing from document declassification because
22 inevitably it involves referrals, which means it goes
23 first to the Joint Staff, then it goes to OSD, then it
24 goes to State, then it goes to CIA and then NSC,
25 sequentially. Not at the same time, but sequentially.

1 So histories are a different thing. And I
2 remember Dr. Leffler, the last time, said I'd like to
3 get the histories first. Speaking as a guy who wants
4 to publish things eventually, I'd like to, too. But as
5 a practical matter, those are the hardest things to
6 declassify because of their sourcing and because the
7 way the U.S. government handles them bureaucratically.
8 It handles them sequentially --

9 DR. GOLDBERG: They don't have to go
10 sequentially.

11 GEN. ARMSTRONG: Well, that's the way OSD has
12 said.

13 DR. GOLDBERG: The only people who insist on
14 it are the NSC people. They insist that everybody
15 looks at it before they do.

16 You're right about the time. One of the
17 reasons is that they all have lists.

18 GEN. ARMSTRONG: Queues.

19 DR. GOLDBERG: They have queues. It doesn't
20 matter who you are. You go to the end of the queue
21 when you come in.

22 GEN. ARMSTRONG: Yes. You go to the bottom of
23 the FOIA people.

24 DR. GOLDBERG: That's why it can take years
25 to get a history declassified. And both Dave Armstrong

1 here and I speak from the heart from painful
2 experience.

3 We have had histories delayed two to three
4 years before we finally got them declassified. And the
5 reason was simply often a bureaucratic one. They
6 didn't get around to it and they weren't going to give
7 us preference. They were to give their own work
8 preference.

9 MR. HEIMDAHL: The histories that Goldberg is
10 talking about, they were much more narrow yearly
11 command histories, not the kind of comprehensive agency
12 --

13 DR. GOLDBERG: I understand that.

14 GEN. ARMSTRONG: But even those, they say
15 they're going to have to come up to the Joint Staff and
16 be fiddled with.

17 DR. GOLDBERG: All right. Then maybe it was
18 a slip of the tongue to say histories. Let's say the
19 SAC files out at St. Louis. I'm sure the same
20 percentage of that stuff is going to be RD as what's in
21 the histories.

22 DR. GOLDBERG: All right. This is an insider
23 comment.

24 GEN. ARMSTRONG: I do have one thing that I
25 want to -- I recognize it's my hobbyhorse and it's a

1 managerial issue, but I also recognize you work for
2 Emmet Page, who's the big guru of C-4I, and if we can't
3 get government wide standards for data that we put in
4 our own individual agency listings of what we've
5 declassified, why can't we get DoD ones? That's Emmet
6 Page's job.

7 And I would personally recommend that that go
8 in Al's report. Now, that also covers 80 percent of
9 the documents, according to some people. That is
10 something I think is doable. And I think it would be -
11 - it's probably less useful to the historical community
12 frankly than it is to the declassifiers. But any
13 amount of their assets we can timely save means more
14 work done, I would guess.

15 DR. GOLDBERG: Let me take a few minutes to
16 run over the list of items that we ought perhaps
17 include in the report that we make.

18 First of all, with reference to the DoD
19 directive which is close to completion, it would be
20 difficult to include most of the specifics that we have
21 mentioned here in that kind of a directive. It's an
22 overall thing. We can make a recommendation that it be
23 flexible, that it give the individual services and
24 agencies a considerable amount of leeway in doing what
25 they are doing and as much assistance as possible from

1 the OSD level.

2 With reference to the overall standards, I
3 think we can definitely recommend that and ask that
4 they be applied to as many different aspects of
5 declassification as possible and spell out some of
6 them, some of the specifics. We don't know all of them
7 yet at this point.

8 I think we ought to talk specifically about
9 the pilot programs and recommend that the services and
10 some of the agencies carry out these pilot programs and
11 state that we will, through C-3I, recommend specifics
12 for these pilot programs to the services. And these
13 specifics will be addressed to the highest level policy
14 offices in all of those organizations.

15 We can make a specific recommendation for
16 reserve officers for the JCS.

17 AUDIENCE PARTICIPANT: I appreciate that.

18 DR. GOLDBERG: Because that is a special
19 category.

20 What else would we like to have included here
21 in our report?

22 DR. WAMPLER: Can I ask a point of
23 clarification on the pilot program?

24 DR. GOLDBERG: Yes.

25 DR. WAMPLER: That request will be for, as

1 you say, a specified record accession?

2 DR. GOLDBERG: We can specify. We can say
3 that we would like to specify the specific records, the
4 offices and the periods.

5 DR. WAMPLER: And this would be for any
6 exempt, as well as non-exempt file series that occur
7 within that record?

8 DR. GOLDBERG: Not paying attention to
9 whether it's exempt or non-exempt.

10 DR. WAMPLER: Yes. Well, I mean it's
11 everything that's in there.

12 DR. GOLDBERG: Well, we'll make it without
13 knowledge really of whether it's exempt or not exempt.

14 DR. WAMPLER: But they won't have the power
15 to say we won't look at the exempt material? We want
16 them to review everything that's in that group whether
17 it's within a requested exempt file or not.

18 DR. GOLDBERG: Well, they can review it and
19 come back and tell us it's none of our business.
20 That's a possibility.

21 AUDIENCE PARTICIPANT: Can there be an
22 instrument or a group for review of the exempt
23 material?

24 DR. GOLDBERG: An instrument?

25 AUDIENCE PARTICIPANT: Or a way or a process

1 instead of having an open-ended computer system signal
2 that it's up for review 15 years from now if it's been
3 exempted, that it be subjected to review if we don't
4 know what it is because it isn't listed or identified.

5 DR. GOLDBERG: No. We are going to identify
6 what we want them to look at. And if it's exempted, we
7 still would want them to look at it.

8 AUDIENCE PARTICIPANT: I understand that.
9 But you may have access to the list but other
10 historians --

11 DR. GOLDBERG: No, no. I'm taking it from
12 lists which have been submitted by two people here.

13 DR. WAMPLER: If they go for record review 30
14 list, there is a detailed --

15 AUDIENCE PARTICIPANT: Particularly if you
16 pick a top secret. There's going to be a very detailed
17 listing of the documents that are in that record group.

18 DR. GOLDBERG: In the main, these will be top
19 secret files. Yes. They're the kinds of things you've
20 been talking about here for two meetings.

21 AUDIENCE PARTICIPANT: So that would also
22 include what Army said about their essential files here
23 this morning?

24 DR. GOLDBERG: No.

25 AUDIENCE PARTICIPANT: That's what i'm

1 talking about.

2 DR. GOLDBERG: No. As a matter of fact, we
3 would have to get listings. We do have some listings
4 of the Army.

5 MS. BRAGG: Well, from what I hear, you're
6 proposing that you would select a topic or topics --

7 DR. GOLDBERG: No.

8 MS. BRAGG: -- to look at as a pilot program.

9 DR. GOLDBERG: Not topic or topics. Actual
10 records.

11 MS. BRAGG: Okay. All right. Excuse me. I
12 used the wrong term. You would have some sort of list
13 of records.

14 DR. GOLDBERG: We would come to you and say
15 we want you to examine the top secret records of the
16 Secretary of the Army and the Chief of Staff for the
17 period 1945 to 1955 or something like that or as much
18 of it as you can do in a three-month period.

19 MS. BRAGG: Then my impression would be that
20 the Army response, and of course, I don't -- this has
21 not been proposed to the Army so I can't say
22 definitely. But my impression would be and what I will
23 recommend is that whatever was on the listing there for
24 the Army, that the Army would review that material.

25 DR. GOLDBERG: Yes.

1 MS. BRAGG: Whether it happens to fall in one
2 of our exemption categories or not. So be it. I mean,
3 we would review the materials.

4 DR. GOLDBERG: It's not likely to fall under
5 an exemption category. It might include some exempted
6 material and probably a good deal of exempted material.
7 But not your series, the 54 series that you're talking
8 about probably.

9 DR. WAMPLER: There's one here on the list
10 that David put in. It's the top secret Secretary of
11 the Army files, 1963 to 1964, three feet. That seems a
12 pretty good little chunk that you could go through and
13 see what happens.

14 DR. GOLDBERG: That's the sort of thing I
15 have in mind. The question I might put to those of you
16 who are still here representing the services, how much
17 would be a reasonable amount in terms of footage to ask
18 of you?

19 MS. BRAGG: Well, speaking from the Army
20 perspective, as you've seen, and I don't come to you
21 with any degree of happiness or pride to report this,
22 but I'm looking you in the eye and giving you an honest
23 estimation.

24 Right now, if you gave us a list, it would be
25 very difficult because we're still in our starting

1 phases, as you well know. We still have not designated
2 the program manager.

3 What I would request is that presumably this
4 group will be meeting for some period of time. I don't
5 think it's a group that's going to go away in the next
6 three months.

7 DR. GOLDBERG: Some of the people may go
8 away, but --

9 MS. BRAGG: If you could grant us some
10 consideration that on your initial list you don't
11 include Army information. We're not trying to -- well,
12 I don't know who I would give it to.

13 (Laughter.)

14 Well, you heard the Air Force say. "Here's my
15 team. Stand up." Here's my team. Okay? I mean, if
16 you want me to review the Secretary of the Army files
17 in addition to everything else I do, please, I'm trying
18 to tell you honestly that the resources right now --
19 the Navy has 75 people. You've heard the Air Force.
20 They have a number of people working on this. The Army
21 does not have anyone.

22 GEN. ARMSTRONG: You know, that's something
23 that ought to be in your thing. If you've got a -- if
24 this panel has a concern, it ought to be concerned
25 about the fact that the bulk of the records in DoD are

1 in a single agency purview. Right now, there is no
2 funding or no staff person responsible for the review
3 program.

4 You know, I'd put that right at the top.

5 DR. GOLDBERG: Actually, you could use our
6 request, perhaps, as some leverage within the Army.

7 GEN. ARMSTRONG: You need to understand the
8 Army right now, as you all know, in connection with
9 CMA, so the Army right now is looking for a billion
10 dollars in program cuts and they -- I know the guy
11 who's going it, the four star, quite well. And I doubt
12 very seriously he is extraordinarily receptive to her
13 request for people and money.

14 He's going to say how many brigades does that
15 put in Kuwait tomorrow, and she's going to look at him
16 and say none. So, I'm serious. If you want to say
17 something, then say damn it, the single biggest body of
18 record right now has no institutional effort to comply
19 with the Executive Order.

20 DR. GOLDBERG: The Navy has the biggest
21 single body right now.

22 GEN. ARMSTRONG: Okay. Second biggest.

23 DR. GOLDBERG: It has more than the other two
24 put together. I've wondered about that, by the way.
25 Why does the Navy have more than the Army and the Air

1 Force?

2 AUDIENCE PARTICIPANT: Let me say something
3 for the Army. The main declassifier in the Army
4 History Office, as Colonel Dietrich alluded to, passed
5 away suddenly last year. He was my counterpart and the
6 counterpart of Ellen Argel in Naval history. And that
7 put a big setback to the Army plans in the EO
8 procedure. This is one of the unexpecteds that can
9 happen to any procedure.

10 GEN. ARMSTRONG: Yes. But it's been a year
11 and they need to get on with it. I was in the Army for
12 30 years. I'm sympathetic to their problems. I know
13 some of them, like Ron Griffiths. But, you know --

14 DR. GOLDBERG: All right. I have no problem
15 with including that in a report to the Assistant
16 Secretary.

17 MR. WEINBERG: Especially if the Army is the
18 one that is most concerned about the cutoff date in the
19 year 2000. There is an inner contradiction between on
20 the one hand this, shall we say, devout belief that
21 everything will be opened in the year 2000 and on the
22 other hand -- and all of the security risks that that
23 entails, and on the other hand, the most cavalier
24 attitude to maybe doing a weeny bit something to
25 alleviate these security risks.

1 GEN. ARMSTRONG: I don't think it's cavalier
2 but I wouldn't -- I don't think that's a fair comment
3 to make. It's a real problem.

4 MR. WEINBERG: I didn't dispute that,
5 certainly. I was merely suggesting that there is a
6 kind of inner contradiction between the concern on the
7 one hand that the clock is ticking and the disregard of
8 the clock at the same time.

9 DR. GOLDBERG: The question is for whom does
10 the clock tick.

11 (Laughter.)

12 AUDIENCE PARTICIPANT: I don't think it was
13 particularly planning on any enforcement of the
14 Executive Order. If we're required to declassify so
15 many percentage a year and it's not being done and it's
16 an Executive Order issued by his office, there must be
17 some enforcement or is there any enforcement or doesn't
18 it matter.

19 AUDIENCE PARTICIPANT: Of course, it matters.
20 The reason -- if you're addressing why was this 15
21 percent placed in the Executive Order and is there
22 going to be some kind of rigid review to see have you
23 met exactly your 15 percent, the reason that a
24 percentage was listed in the first place was not
25 because we felt that there had to be 15 or 16 or 20 or

1 10 but rather that we were creating an Executive Order
2 that had a five-year window and that if we created an
3 Executive Order with a five-year window without any
4 intermediate requirements, what would inevitably happen
5 is that the agencies would wait 4-1/2 years and say,
6 oh, my god, I've got six months and then the shoe is
7 going to drop.

8 The purpose of the 15 percent rule was to, in
9 effect, get the procedure going from day one. Whether
10 agency A has 15 percent and agency B has 20 percent and
11 agency C only has 5 percent is the farthest concern to
12 us than is the fact that both -- that A, B and C are
13 making progress from day one toward the ultimate goal.

14 What concerns us greatly is the unevenness
15 that we observe in this room and that we observe
16 elsewhere in the government in terms of compliance.
17 We're less concerned to get somebody because they only
18 made 12 percent rather than 15 percent than we are
19 concerned to let the Secretary of the Army know that
20 the clock is ticking and nothing has been done with
21 respect to Army records. That is where our greater
22 concern is.

23 DR. GOLDBERG: Just a moment, please. The
24 clock is ticking for this meeting also.

25 AUDIENCE PARTICIPANT: That's why I thought

1 it was as good idea to have input. You asked for
2 input.

3 DR. GOLDBERG: Yes. I'm sorry. But our
4 Reporter is going to be leaving shortly. We are going
5 to have to terminate this meeting in just a few
6 minutes. So I have asked for suggestions for use in
7 this report. I have a considerable list here. I will
8 include them in the report. And members of the panel
9 will receive a draft of the report. You will be asked
10 to make any changes, suggestions or initiatives in the
11 same report. I hope I'll be able to cover what we have
12 done here.

13 Yes. Jim David?

14 MR. DAVID: One quick general recommendation
15 that I would suggest is that agencies, as soon as
16 practicable after review of records and record centers
17 that the agencies themselves transfer them to the
18 National Archives.

19 DR. GOLDBERG: Well, we are being told that
20 that is happening. That the Archives was up to date in
21 accessioning or scheduling. If you expect them to
22 transfer the most immediate records, it's not practical
23 and won't happen.

24 MR. DAVID: Well, as soon as practical after
25 review.

1 AUDIENCE PARTICIPANT: But, sir, that needs
2 to be -- I believe needs to be added to that in
3 consonance with our own retirement schedule of records.

4 AUDIENCE PARTICIPANT: Yes. The Department of
5 Navy has a practice of a 15-year retention period. We
6 just now retired our World War II records. Unless
7 there's some interest. And these records are available
8 to the public at our Historical Center. That's not a
9 problem. You have access to these records now.

10 COL. MONIGAN: The reason I bring it up is
11 that I want to put in an additional time line on people
12 who are already spread thin in support of making the
13 requirement. That's another added requirement that the
14 advisory panel certainly does not have to lay upon the
15 individual services, so I do not specifically dissent
16 against including that in our recommendations.

17 DR. GOLDBERG: All right.

18 If there are no further remarks to be made,
19 the meeting is closed.

20 Thank you.

21 (Whereupon, the proceedings were concluded.)

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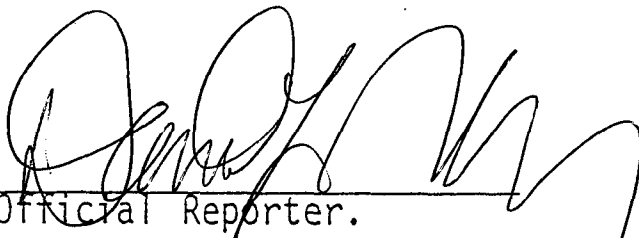
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2 REPORTER'S CERTIFICATE

3 This is to certify that the attached
4 proceedings before: U.S. DOD
5

6
7 In the Matter of: HISTORICAL RECORDS MEETING 5-10-96
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11
12 were held as herein appears and that this is the
13 original transcript thereof for the file of the
14 Department, Commission, Administrative Law Judge
15 or the Agency.
16

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18 
19 Official Reporter.

20 Dated: 5-10-96
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